

# University Student Conduct Policy and Procedures

The following may be regarded as violations against the University and its community, whether the offense is attempted or completed. Drew students and their guests are bound by the following rules. Students should understand that policy violations are recorded and maintained in their student record and may have an impact on them in secondary ways, including but not limited to, traveling abroad, serving in leadership capacities, application to graduate or professional schools, etc.:

1. **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.
2. **Disorderly Conduct:** Engaging in fighting, threatening, or aggressive behavior; displaying violent or tumultuous behavior, or creating an unreasonably hazardous or physically dangerous condition.
3. **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.
4. **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.
5. **Human Rights/Discrimination:** See the Human Rights Policy, which addresses discrimination at <http://www.drew.edu/humanrights/>.
6. **Sexual Harassment and Misconduct:** See the Sexual Harassment and Misconduct Policy, which addresses sexual harassment and misconduct, including, domestic violence, dating violence, stalking, and sexual assault.
7. **Hazing:** Any action taken, or situation created, whether on or off campus, which produces mental or physical discomfort, embarrassment, or ridicule; where participants are endangered physically or mentally; where participants are pressured against their will to participate; where the participants are targeted based on class year or other criteria, including criteria of violating the University's Sexual Harassment and Misconduct Policy or Human Rights Policy; are not in compliance with or do not comport or other actions that with the University's general educational mission, philosophy, and policies. The expressed or implied consent of the victim will not be a defense. Apathy, indifference, or acquiescence in the presence of hazing are not neutral acts, and therefore are a violation of this rule.
8. **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.
9. **Intimidation of Witnesses/Retaliation:** Includes any threats 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.
10. **False, Vicious, Malicious Allegations:** Knowingly bringing false allegations against the University or another person for any reason.
11. **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.
12. **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.
13. **Smoking:** Smoking is prohibited in all academic, student support, and residential buildings. Ash trays are placed in designated spots outside of most buildings. Smokers should respect the rights of non smokers consistent with community standards as established in the residence halls. The use of electronic smoking devices (including but not limited to Minis, Mid-Size E-Cigs, Vape Pins, Advanced Personal Vaporizers (APVs), and MODs), is also prohibited and is treated the same as smoking. Smoking is prohibited at an exterior area, such as doors and windows, if smoking in the exterior area results in migration, seepage, or recirculation of smoke to an indoor space. Beginning on November, 1, 2017, New Jersey law will prohibit the purchase and sale of tobacco products and electronic smoking devices by a person under the age of 21.
14. **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.
15. **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 "Drew University" or the University seal is considered taking.
16. **Stolen Goods:** The sale, distribution, or knowingly purchase or possession of any property illegally obtained either on or off campus.
17. **Misuse of Documents:** Forgery, alteration, misappropriation, or unauthorized disclosure of University documents/records, official student documents/records, or student identification cards (IDs).
18. **Damage/Vandalism:** Damaging or destroying any University property or any private property of a member of the Drew community.
19. **Providing False Information:** Knowingly misrepresenting information to the University, or an official; or, engaging in fraud; embezzlement, counterfeiting, or other wrongful acts.
20. **Failure to Provide Identification:** Failure to produce valid identification (such as a student ID) when requested by university officials.
21. **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).
22. **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.
23. **Disruptive Behavior Directed at a University Official:** To interfere or disrupt the activities of University officials acting in the performance of their duties.
24. **Failure to Comply with the Directive of a University Official:** To disregard or ignore the directions of University officials acting in the performance of their duties.
25. **Interfering with Fire Safety:** Tampering with, damaging, or misusing fire safety equipment such as, but not limited to, fire extinguishers, smoke alarms, 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, explosion, or other emergency on the University campus or at University sponsored activities. Obstruction of fire escapes, corridors, or stairways.

26. **Misuse of Computer or the Network:** Any misuse of the computing network or equipment or violation of the Computing and Networking Policy. Copyright Policy: Any violation of the University's Copyright Policy.
27. **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.
28. **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.
29. **Violation of Campus Housing Regulations:** Any violations the Residence Life/Rules and Regulations and the housing agreement, including additional regulations imposed during break housing.
30. **Violation of Campus Car/Parking Regulations:** Any violation of the campus car/parking regulations as enumerated in the Drew University Traffic and Motor Vehicle Regulations Handbook, available online and from the Department of Public Safety.
31. **Violation of Public Law:** All Drew 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.

## Procedures for Student Conduct Policy Violations

1. Any member of the Drew 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 of another person or on its own behalf. All allegations of conduct policy violations should be submitted to the Dean of Students, Office of Student Conduct and Community Standards, Office of Residence Life or the Department of Public Safety. 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 Dean, or designee, may impose a temporary suspension or separation from the University or other restriction with no prior notice, effective until a hearing is held and a determination reached.
3. A student alleged of a violation will be contacted by a Conduct 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 Drew University Email (@drew.edu) account.
4. 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 Conduct 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 Conduct Officer, the process will continue in his/her absence.
5. Administrative Meeting: The goal of an Administrative Meeting is to arrive at a finding of "responsible" or "not responsible," and impose appropriate sanctions in a timely and fair manner.
6. 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.
7. Should a student fail to schedule or attend an Administrative Meeting in the time designated by the Conduct Officer, the student's case will be decided in his/her absence. In cases where a student withdrawals 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 conduct officer, and will receive notice of the alleged violations prior to a meeting. In cases of violations of the Human Rights or Sexual Harassment and Misconduct Policies, students will be subject to those policy's procedures.

The conduct 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 conduct 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 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.

## Appeals

1. The right of a student found responsible to one appeal is guaranteed. Appeals may be granted for the following reasons only:

- a. Pertinent new information is available which was not known to the person appealing at the time of the original hearing.
  - b. A procedural error was made 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. 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 Dean of Students 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. 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 purpose of sanctions is generally educational and rehabilitative, although in some matters, the protection of the Drew community will be important as well. The reasons for the imposition of sanctions will be stated in the student's file and will become a part of the student's record.

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 Dean of Students, 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 that the student is ready to return to the residence halls. The student will need to obtain clearance from the Dean of Students, 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.