

## **CODE OF CONDUCT 2023-2024**

In order to protect the rights of all community members and guests, the College has established a Code of Conduct that outlines standards of behavior and means for sanctioning those who do not abide by these standards. The Code of Conduct covers the behavior of all students and their guests [1] and applies to acts committed on the Ramapo College campus, at on and off campus College-sponsored events and off campus behaviors as defined in Section F.

The disciplinary regulations that follow are designed to provide broad guidelines. They are not meant to define in exhaustive terms all behaviors that are prohibited. In all cases, the College has the right and duty to protect the well-being of community members. When violations of the Code of Conduct are also violations of Federal, State, or local law, the College, through its employees or representatives, may file a complaint in the appropriate forum. Similarly, the College itself may press internal disciplinary action which is protected by the Constitution of the State of New Jersey or the First Amendment of U.S. Constitution.

The Code of Conduct may be amended. If a change is made, students will be notified through means deemed appropriate.

### **A. The Role of the Vice President for Student Well-being/Dean of Students**

The Vice President for Student Well-being/ Dean of Students (hereafter Dean of Students) or designee(s) has the responsibility for overseeing the staff in the Office of Student Conduct and processes related to the implementation of the Code. Academic misconduct charges are generally managed by The Office of the Provost. In a situation where a student's health or safety is/was very seriously endangered, the Dean of Students or designee(s) will make every attempt to notify the student's parent/guardian as soon as possible.

### **B. Filing Complaints**

Complaints against students may be made by any student, employee, or guest of the College who believes the Code of Conduct has been violated. A complaint must be made in writing to the Public Safety Department within a reasonable amount of time after the occurrence. (This will normally be construed to mean within 30 calendar days, unless unusual circumstances exist or it is an alleged crime that the college must report under The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.) The complainant should include as much detail concerning the alleged violation as possible. The complainant must visit the Public Safety Department (Office C-102) to complete a report. Complaints may also be filed via the [Public Safety Department's website](#).

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These complaints are reviewed by College officials during business hours and prior to being referred to relevant offices for possible action.

Students are formally charged with alleged violations only after appropriate members of the Office of Student Conduct staff have reviewed the complaint, investigative documents (written reports) and witness statements (if available). Reports used to file a complaint or statement in the Public Safety

Department may be used by the Office of Student Conduct in the adjudication of a College Disciplinary Hearing or in a College Disciplinary Review Board hearing. The information may become part of the general case file and may be viewed by those against whom complaints have been filed as part of their due process rights.

**C. Complaints Against Student Groups**

Recognized or registered student groups, organizations and teams may be charged with violations of the Code of Conduct.

## **F. Actions for Serious Crimes on Campus or Off Campus**

If the College is made aware that a student has been arrested, indicted, or found guilty of a crime, or when the College is notified of a student's off-campus conduct (including electronic communication) that, in the College's judgment, is sufficiently severe or pervasive that the student poses a material threat to the public safety or to ongoing operations of the campus, the College reserves the right to take administrative actions to protect the community and may, therefore, issue an Interim Suspension from the entire campus and refer the matter to the Office of Student Conduct for review and potential disciplinary action through the student conduct process. (see section "M").

## **G. College Actions Against Non-Students**

The College's disciplinary process does not have jurisdiction when a complaint is filed against a person who is not a student. Persons who are not students but who violate Federal, State, or local laws or College regulations may be subject to arrest, immediately restricted from accessing campus and/or may have their campus visitation privileges revoked. College officials may file a complaint through local law enforcement against guests or other visitors who violate laws while on campus. Non-students who are restricted from campus or have their College visitation privileges revoked have the right to appeal that determination by writing to the Director of Public Safety. Students who are hosting non-student guests may be held responsible through the Student Conduct Disciplinary Process for the violation(s) of the Code of Conduct that was committed by their guest(s).

## **H. Prohibited Conduct (Code of Conduct)**

Repeated or aggravated violations of any provisions of the Code of Conduct may result in expulsion, suspension, or the imposition of such lesser sanctions as may be appropriate.

- 1a. Intentionally or recklessly causing physical harm.
- 1b. Intentionally or recklessly causing reasonable apprehension of physical harm.
- 1c. Intentionally or recklessly causing threats to do physical harm.
- 1d. Intentionally or recklessly endangering the welfare of others.
- 2a. Intentionally or recklessly engaging in harassment, intimidation or bullying, including physical acts, speech, writing, voicemail, e-mail, electronic communication or communication through a third party, which is sufficiently severe, pervasive and objectively offensive so as to substantially disrupt school operations or substantially undermine another student's ability to participate in or to receive the benefits, services or opportunities offered by the College and that: (i.) involves intimidation or threats to another person's safety, rights of personal privacy and property, academic

- 2b. Discriminatory harassment, intimidation or bullying. A student will be found responsible for discriminatory harassment, intimidation or bullying who engages in conduct described as “harassment, intimidation or bullying” which the student directs at a specific group or individual, based upon race, creed, religion, color, national origin, nationality, ancestry, age, sex/gender (including pregnancy), familial status, marital/civil union status, affectional or sexual orientation, gender identity or expression, domestic partnership status, atypical hereditary cellular or blood trait, genetic information, disability, (including perceived disability, physical, mental and/or intellectual disabilities), or liability for service in the Armed Forces of the United States or any other characteristic protected from discrimination by the New Jersey Law Against Discrimination, NJSA 10:5-4, which conduct substantially interferes with work, educational performance or equal access to the College’s resources and opportunities.
- 3a. Use of any weapon or realistic model of a weapon. (The definition of weapon includes those items described as such in the New Jersey Code of Criminal Justice as well as any similar instrument that has no legitimate or obvious purpose related to the College's educational program. For example, dart guns, paintball guns, stun guns, tasers, pepper spray, BB guns, bows and arrows, any instrument that can discharge a projectile, hunting knives, carpet knives, razor knives, and knives with blades longer than two inches, except knives related to the preparation or consumption of food or that can be legitimately described as a pocket or pen knife.)
- 3b. Possession of any weapon or realistic model of a weapon;
- 3c. Storage of any weapon or realistic model of a weapon;
- 3d. Discharge of any weapon;
- 3e. Hunting or fishing anywhere on the College campus;
4. Intentionally initiating or causing to be initiated any false report or warning concerning:
  - a) The threat of fire;
  - b) The presence of a bomb or of an explosion;
  - c) Any other emergency condition;
5. Intentionally or recklessly and substantially, disrupting normal College or College-sponsored activities including, but not limited to:
  - a) Presentations by invited speakers;
  - b) Studying;
  - c) Teaching;
  - d) Research;
  - e) College administration, including governance operations;
  - f) The activities of fire, police or other emergency services;
  - g) Verbally or physically assaulting College officials acting in the performance of their duties;
  - h) Disorderly Conduct;
6. Violating the terms of any disciplinary sanction or actions required by a college office for reasons of health and safety or college policies imposed in accordance with this Code and the Guide to Community Living;

7. Distribution or possession for purposes of distribution of any controlled substance, illegal drug, or commonly acknowledged drug paraphernalia;
- 8a. Violation of Federal, State, local cannabis laws and regulations or the Ramapo College Alcohol, Cannabis, Other Drug, and Good Samaritan Policy;
- 8b. Violation of Federal, State, local other

18. Violation of published Federal, State, or local laws or of College regulations or policies. (Such regulations or policies may include residence hall agreements as well as those regulations relating to campus demonstrations, motor vehicle regulations, etc.);
- 19a. Unauthorized presence in College premises;
- 19b. Unauthorized use of College facilities or equipment;
- 19c. Unauthorized presence in, surveillance of, or use of another's property or assigned College residence;
- 19d. Entering or exiting or allowing another person to enter or exit a building through windows or emergency exits;
20. Use or possession of fireworks, other incendiaries, or explosive devices;
21. Failure or refusal to produce a College identification card upon demand by a Public Safety Officer or other official of the College acting in their official capacity, or Officer of the law;
22. Littering, vandalism of College or private property (on-campus), or placing graffiti on walls, doors, or other College or privately owned property;
23. Hazing, including organizing, engaging in, facilitating, or promoting any conduct which places or may place another person in danger. (The consent of those hazed will not be accepted as a defense.) Hazing and aggravated hazing are also crimes punishable under the provisions of Title 2C of the Statutes of the State of New Jersey. Failure to comply with any of the standards or requirements outlined in the Pledge's Bill of Rights (developed by the Attorney General of the State of N.J. pursuant to N.J.S.A. 18A: 3-24 et. seq.) will be considered a violation of this section of the Code of Conduct. Subsequent changes in hazing laws are a3 (u)43f( )Tj3 0 Td[(Ha)-4 ((e)-3 (m)19( ))Tb-3 () (w)M()2 (d () (w)M3 (u)43 (qu(a)-4 (t)2 ((u)

28. Violations of the Policies and Procedures for On Campus Jobs when it references certain dismissals for “cause”;
29. After a verbal or written warning, continued violation of H.1-28 or of any published College policy.

### **I. Adjudication of Cases**

Students and/or organizations charged with violations of the Code of Conduct will be sent a “Notice of Disciplinary Hearing” via email to the student’s or the organization’s representative's Ramapo College e-mail account that will indicate which of the following adjudication options will be employed in their case:

Board deliberations. The Board Advisor shall not vote. The Board Advisor shall exercise control over the manner in which the hearing is conducted to avoid unnecessarily lengthy hearings and to prevent the harassment or intimidation of all those providing testimony. The Board Advisor may make accommodations for the safety and well-being of the complainant, charged student, and witnesses by providing separate facilities for testimonies, using WebEx, telephone, written statement, or other means on a case by case basis. These accommodations are made at the sole judgment of the Board Advisor. Anyone who disrupts a hearing or who fails to adhere to hearing guidelines may be excluded from the hearing. The Board Advisor will ensure that the Board follows the procedures outlined below and in the College Disciplinary Review Board Manual.

At the time, date, and location scheduled, the hearing shall be conducted under the guidance of the Board Advisor. All hearings before the College Disciplinary Review Board shall be recorded and shall adhere to the following format:

1. The Board Advisor shall convene the hearing and introduce all the parties involved in the hearing, and the students' advisors, if any. Each student may have (1) advisor;
2. The Board Advisor will not apply the technical rules of evidence followed in criminal or civil hearings nor entertain technical legal motions. Technical legal rules pertaining to the wording of questions, hearsay, and opinions will not be formally applied. Reasonable rules of relevancy will guide the Board Advisor in deciding on the admissibility of information;

Reasonable limits may be imposed on the number of witnesses and the amount of cumulative ev( )Tj0.49 [(R)-5 ((y)-b1.13 2 (i)-1 (s)5 (or)3 ( )-10 (s)5 (ha)-4 (l)-1 (l)-1 ( c)J-28.62 5 (oa)-4 (s)5 (c



10. The charged student shall be given the opportunity to question each witness of the complainant after they testify, followed by questions from the Board;

3. The right to remain silent and not present evidence against themselves;
4. Opportunities to both question those who provide information at the hearing and respond to any information being presented against them. Formal rules of evidence shall not be applicable pursuant to the Code of Conduct. The Board Advisor/Hearing Officer shall give effect to the rules of confidentiality and privilege, but shall otherwise admit all information for consideration that reasonable persons would accept as having material value. Unduly repetitious or irrelevant information may be excluded;
5. The charged student or the complainant may, upon showing relevance and necessity, request witnesses to appear at a hearing. Character witnesses are not permissible in campus disciplinary hearings. It is the responsibility of the complainant and the charged student to notify the Office of Student Conduct in writing of the persons they wish called as witnesses at least three (3) business days before the hearing. The Office of Student Conduct will notify individuals who are identified as witnesses that their appearance is required. It is generally expected that witnesses will appear in person to give testimony. Under rare circumstances, the Board Advisor/Hearing Officer may accept a written statement from a witness who has been excused from attending a hearing. Witness identity can be confirmed by submitting witness statements through the Public Safety Department. Witness statements that are not submitted through the Public Safety Department must be signed, dated, and notarized. The decision as to whether such a document or any other alternative means of testimony may be used lies solely with the Board Advisor/Hearing Officer. Non-students may be called to serve as a witness at the discretion of the Board Advisor/Hearing Officer. Students who refuse to appear

result of a Disciplinary proceeding, parents or guardians may be notified in certain cases

#### **L. Administrative Action**

No Contact Order: The Office of Student Conduct or designees may determine that action needs to be taken at the time of the incident or during an investigation. When this situation arises, a No Contact Order will be issued between the current students or groups of students involved. By copy of this order, students are not permitted to contact each other via verbal, written, or electronic means, or through a third party person. Students seeking court issued restraining orders, or protections off campus should contact a police agency. The Office of Student Conduct will review all relevant materials (Public Safety reports, Residence Life reports, written statements, etc.) to determine any further disciplinary action.

No Contact Orders are issued for a set period of time and are reviewed at the end of each academic year. Should a student separate from the College, the No Contact Order will be terminated.

Students seeking court issued restraining orders, or protections off campus should contact a police agency.

#### **M. Definition of a Student**

A student will be subjected to the College's disciplinary process if the alleged violation occurred while they were a registered student. Ramapo College recognizes as a student any individual who has completed the following:

- x paid a tuition deposit indicating "intent to enroll";
- x registered for credit bearing courses; and
- x arrived on campus to begin the semester/term.

This definition includes individuals who arrive to campus prior to the start of the semester/term for recognized College functions including, but not limited to student employment; training; athletics; and participation in the Summer EOF program. In cases where a student charged withdraws from the College prior to the disciplinary hearing, the disciplinary process will proceed regardless of the change in enrollment status.

#### **N. Sanctions**

placed in abeyance. Should a student re-enroll at the College, the sanctions must be completed. Monetary fines are the exception to this rule, as they are immediately posted on a student's account.

1. **Official Warning:** A written statement indicating a violation of the Code of Conduct has occurred and warning that a subsequent violation will likely be treated more severely;
2. **Monetary Fines:** For some policy violations, students will be required to pay monetary fines. Examples of violations where students may be issued a fine include, but are not limited to, alcohol and other drug violations, fire safety violations, and incidents involving non-compliance;
3. **Financial Restitution Requirement:** The student may be required to provide the College with financial restitution for the repair or replacement of property that was damaged, defaced, lost, or stolen. Students seeking a financial award from other students for damages or compensation for stolen/damaged items should seek further assistance from Mahwah Municipal Court. The student conduct process does not have jurisdiction in this area;
4. **Community Restitution:** The assignment of imposed service hours and/or participation in educational programs or projects;
5. **Probation:** A defined period of time whereby a student is given an opportunity to modify their behavior or risk more severe sanctions. Any subsequent violation of the Code of Conduct, while in this status, will likely result in suspension of residence privileges or activities privileges;
6. **Disciplinary Probation:** A defined period of time whereby any registered student is given an opportunity to modify their behavior or risk losing student status. Any subsequent violation of the Code of Conduct, while in this status, will likely result in suspension or expulsion from the College;
7. **Suspension of Activity Privileges:** The student cannot be a member of a recognized or registered student organization, participation in the organizations' regularly scheduled activities, serve as a representative of the College, or participate in intramural, club, or intercollegiate sports. Notification of this sanction/status will be sent to appropriate College officials so they will know who may not participate in activities sponsored by their offices;
8. **Suspension of Guest Privilege:** The privilege of registering a guest on campus has been suspended therefore the student cannot register or host a guest on campus and/or within the Residence Halls during the defined period of time. Notification of this sanction/ status will be sent to appropriate College officials;
9. **Loss of Campus Housing Selection Privilege:** Students assigned this sanction may only enter the selection process as an "individual". Students are not permitted to join a "group" or be pulled into a group. Students must follow the necessary procedures outlined within the housing selection materials in order to secure housing as an individual;

10. **Housing Relocation:** Students assigned this sanction will be required to relocate to a new residence area assignment. This sanction may include restriction from visiting in the previous residence area;
11. **Suspension of Residence Privileges:** The student's privilege to live on campus and visit the residence areas of the campus is suspended for a defined period of time. The student is not entitled to any refund of campus housing and/or meal plan fees once the standard refund periods have expired;
12. **College Suspension:** Beginning on the date of suspension takes effect, the student may not attend classes or submit any further work for their courses. In addition, the student may not be present on campus nor at the College-sponsored event for any reason whatsoever for a specified period of time. The student is not entitled for a refund or any tuition or fees after the scheduled refund dates;
13. **Expulsion:** Beginning on the date the expulsion takes effect, the student may never again register for classes, may never attend classes, or submit any further work for the courses in which they are currently registered. In attend, the student may never be present on the campus nor at a College-sponsored event for any reason whatsoever. The student is not entitled to any refund or any tuition or fees after the published refund dates;
14. **Other Sanctions:** Other sanctions may be imposed in addition to, or instead of those described in #1 through #13;

**Educational Sanctions:** Essay or research projects may be assigned. Students may have community restitution projects assigned. Students who are found responsible for Code of Conduct violations which involve alcohol/drug use and/or abuse, or who otherwise engage in behavior associated with alcohol/drug use and/or abuse, may be required to attend educational programs intended to inform them about alcohol/drug use and/or abuse;

**Mental Health Assessment:** A student may be required to participate in a mental health assessment through the Center for Health and Counseling. Students are strongly encouraged to follow the recommendation of the mental health practitioner;

**Restriction of Privileges:** Students may be assigned additional temporary or permanent campus restrictions that include the privileges of: alcohol allowed housing, entering/ visiting residence areas (registering as a guest) and/or driving or registering for a parking permit;

**Postponement of Degree Conferment:** A student may have the awarding of their degree postponed based on the information in the Code of Conduct Section "P";

**Please note:** There will be no refund of tuition, room, or board charges after the published deadlines if withdrawal from courses and/or campus residence is affected because of violations of the Code of Conduct. Students should be aware that a conviction in criminal court for certain controlled substance offenses including drug possession and/or sale may have them declared ineligible for Federal financial aid for a period of time;

## Determination of Sanctions

1. If the sanctions are found to be significantly disproportionate to the offense;
2. If the specified procedural error or errors in the interpretation of the College regulations were so substantial as to effectively deny the person charged a fair hearing;
3. If new and significant evidence becomes available which could not have been discovered by a properly diligent person before or during the original hearing.

The imposition of sanctions is normally deferred during the appeal process although sanctions may go into effect immediately if the Dean of Students or their designee deems it necessary. The decision of the Dean of Students is final. There is no further appeal within the College.

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[1] Residents and commuters will be held accountable for the behavior and/or actions of the non-student guest(s) they are hosting.

[2] A note on language: The words “victim” and “survivor” are used interchangeably here. Ramapo College respects the decision of those who have experienced violence to identify as a victim or a survivor. We recognize that choosing to identify as a survivor is an important part of the healing process for some who have experienced sexual violence.