Student Code of Conduct

I. Introduction:
As an institution of higher learning, the university affirms certain basic principles and values that are, in the fullest and best sense of the word, educational. The university is also a community and in that regard, upholds certain basic principles and standards of behavior that underlie its educational purpose. These include the recognition and preservation of basic human dignity, the freedom of expression, equal opportunity, and civil discourse, a sustained atmosphere of safety, respect for policies, rules, regulations, and standards set forth by the university, its academic divisions, and the federal, state, and city governments.

The Student Code of Conduct is designed to protect and promote these principles and standards of behavior that are in keeping with our educational mission. The Student Code of Conduct supports an environment where sensitivity, tolerance, and respect are sustained for members of the university community and its neighbors. All students at the university are expected to abide by the Student Code of Conduct. The Office of Student Conduct and Community Standards has primary responsibility for adjudication of Student Code of Conduct violations, in conjunction with Housing and Residential Education. In addition, all students are responsible for their guests. Should a guest violate any part of the Student Code of Conduct, the hosting student may be held responsible for those violations.

The university reserves the right to invoke its disciplinary procedures when a student of the university has been charged off-campus with a violation of a local, state or federal law. Students are subject to reasonable disciplinary action deemed appropriate, including suspension and expulsion, for breach of federal, state or local laws or university rules or regulations off-campus when such conduct is likely to have an adverse effect on the university, on the educational process, or affects the student's suitability as a member of the academic community.

The University Non-Academic Disciplinary Procedures are designed to facilitate fact-finding and to review incidents involving violations of the University policies governing student conduct or behavior and other non-academic policy violations where the responding party is a student including the Sexual Misconduct & Violence Policy. It is not intended to create an adversarial court-like proceeding. Students are encouraged to familiarize themselves with the Code and other policies applicable to students. These policies can be found on the Student Conduct and Community Standards website as well as the university’s Policies website.
A. University-wide Violations

The following actions are considered violations of the Student Code of Conduct and are subject to sanctions imposed in accordance with the Non-Academic Disciplinary Procedures of the university. Attempts to commit an act prohibited by the Code or assisting in the facilitation and planning of acts prohibited by the Code may also be considered a violation.

1. GENERAL MISCONDUCT - General misconduct is conduct unbecoming of a student member of the university community.

2. DISORDERLY CONDUCT - Disorderly conduct includes, but is not limited to, lewd, indecent or obscene behavior; conduct that is unreasonable in the time, place, or manner in which it occurs; and/or obstruction or disruption of university sponsored activities; or conduct which adversely affects the student’s suitability as a member of the university community or which is inconsistent with the mission of the university.

3. HARASSING CONDUCT - Harassing conduct includes, but is not limited to, verbal or written actions that are abusive to any person, or any other conduct which threatens or endangers the physical, emotional health, or safety of any person that is not sexual in nature. Sex or gender based harassing conduct could fall under the Sexual Misconduct and Violence Policy. Harassing Conduct based on an individual’s protected category or perceived protected category could fall under the Discriminatory Harassment Policy.

4. PHYSICAL HARASSMENT - Physical harassment includes but is not limited to inappropriate touching of any person or similar conduct that threatens or endangers the physical or emotional health or safety of any person that is not sexual in nature. Sex or gender based physical harassment could fall under the Sexual Misconduct and Violence Policy. Physical Harassment based on an individual’s protected category or perceived protected category could fall under the Discriminatory Harassment Policy.

5. FRAUD - Fraud includes but is not limited to, knowingly furnishing false information to the university community, administration, faculty, or staff.

6. NON-COMPLIANCE - Non-Compliance is the failure to comply with directions of university officials acting in the performance of their duties.

7. FORGERY - Forgery is the alteration or misuse of university documents, records, or identification.

8. FALSE ALLEGATIONS - Intentionally filing and/or sharing of knowingly false information about another member of the community with faculty, staff, or other members of the university community is prohibited.

9. THEFT - The stealing of property belonging to another member of the university community and or possession of said property is prohibited.

10. DAMAGE TO PROPERTY - Damage to property of the university, or that of a member of the university community or campus visitor, while on university property or at university sponsored activities including, but not limited to, walls, classrooms, and residence halls is prohibited.

11. VANDALISM - Intentional damage, destruction, or defacement of property of the university is prohibited. Intentionally covering, dismantling, or otherwise tampering with university security cameras is also prohibited.

12. DRUGS - Use or possession of narcotics or dangerous drugs or of any illegal or controlled substances, except as expressly permitted by law, on university owned or controlled property or at university sponsored function is prohibited. Furthermore, students are prohibited from the on-
campus possession of any type of paraphernalia associated with the use of drugs (i.e., scales, bongs, pipes, vaporizers etc.). Adding a drug or other substance into another individual’s food or drink (i.e. drugging, spiking) without their knowledge and causing them to become inebriated, drowsy, confused, unconscious, immobile, or otherwise incapacitated is also prohibited.

13. DRUGS – DISTRIBUTION - Distribution or the manufacture of narcotics or dangerous drugs or of any illegal or controlled substances, except as expressly permitted by law, on university owned or controlled property or at university sponsored functions is prohibited. Furthermore, students are prohibited from the on-campus possession of any type of paraphernalia associated with the use, distribution, or sale of illegal substances/narcotic drugs (i.e., scales, bongs, pipes, vaporizers etc.).

14. ALCOHOL - Use, possession, or distribution of alcoholic beverages, on university owned or controlled property or at university-sponsored functions is prohibited, except when granted prior approval from the university for a particular function. Furthermore, the sale, distribution, or procurement of alcoholic beverages for anyone who is under the age of 21; the use of false identification to procure alcohol; and the possession on campus of any type of paraphernalia associated with the consumption of alcohol is expressly prohibited. Alcohol possession and use is prohibited in the Residence Halls by those students under the age of 21 and in dry residences as outlined in the Residence Hall Handbook. This includes empty bottles used for decoration, academic projects, or other purposes.

15. PUBLIC INTOXICATION - Public intoxication is public disruption due to intoxication or drunkenness from consumption of alcohol, narcotics, or other drugs.

16. HAZING - Hazing is recklessly subjecting any person to the risk of bodily harm, or severe emotional distress, or causing or encouraging any person to commit an act that would be a violation of law or university regulations, for the purpose of initiating, promoting, fostering, or confirming any form of affiliation with a student group or organization. The express or implied consent of the victim is irrelevant in determining whether or not there has been a violation.

17. UNIVERSITY FACILITIES - The unauthorized entry or use of university facilities and being in university facilities after hours is prohibited.

18. RESTRICTED/UNAUTHORIZED AREAS - Students are not allowed on the roof, ledges, balconies, or fire escapes of any university building or residence hall, except during cases of emergency; trespassing; staying in a university building or facility after closing hours and failing to leave; being in an area where the student has no appropriate access or does not have permission to access

19. ACCESS/ KEYS - Unauthorized possession, duplication or use of keys or key cards to university facilities including residence halls is prohibited. Giving of keys and key cards to another individual including other residents and guests is also prohibited. Providing access to an individual who is otherwise prohibited from entering a facility or accessing a restricted area is also prohibited.

20. WEAPONS - Possession, display, use or distribution of any weapon or simulated weapon on university owned or controlled property or at university sponsored functions. Any object used to threaten someone may be considered a simulated weapon.

21. FIRE SAFETY - Tampering with or misuse of fire alarms, fire exits, fire-fighting equipment, smoke/heat detectors, sprinkler systems, and other safety devices on university grounds; and the use of all open flame devices such as, but not limited to, sterno's, incense, kerosene lamps, and barbecue grills; failure to evacuate a building at the sound or activation of the fire alarm system; and the use of any and all fireworks is prohibited.

22. ARSON - Intentionally starting a fire or attempting to start a fire in order to burn or destroy a university owned or controlled facility, university property, or property belonging to another member of the university community; causing or creating a fire; causing or creating an explosion.
23. UNIVERSITY IDENTIFICATION - The misuse or transfer of university identification is prohibited. This includes but is not limited to, the transfer of university identification to gain entry to university buildings, and/or to procure any university services. Failure to obtain and provide an up-to-date, official student ID for entry to university buildings is also prohibited.

24. FALSE IDENTIFICATION - False identification is presenting yourself as someone else in the university community and the procurement of fake identification.

25. GAMBLING - Gambling in any form anywhere on campus is prohibited.

26. SMOKING - Smoking cigarettes or any substance, including medicinal marijuana, using any device including but not limited to, e-cigarettes, cigars, vaping, etc. is prohibited in all university buildings. If a student has a valid New York State medical prescription for marijuana, they cannot consume it through a smoking fashion or via edibles (brownies, cookies etc.) on any university property or controlled facility.

27. PETS - All pets are prohibited on university property, including residence halls, except as outlined in the Assistance Animal Policy. Any student requiring an assistance animal must be authorized by Student Disability Services.

28. UNREASONABLE AND EXCESSIVE NOISE - Creating noise as deemed unreasonable or excessive by university staff on university owned or controlled property is prohibited. Unreasonable and excessive noise includes, but is not limited to, noise that can be heard beyond a student's room or suite. The playing of musical instruments in areas other than those deemed appropriate by the university for such activities is prohibited.

29. UNAUTHORIZED POSTING - Posting of announcements and other publicity items by student organizations at the university that are not in accordance with the guidelines set forth by the office of Student Leadership and Involvement (SLI) and/or the appropriate department within the school or division is prohibited. Announcements and publicity items to be posted on Residence Hall bulletin boards must be submitted to the Residence Hall Director for approval prior to posting. Approved items may only be posted in designated locations.

30. UNAUTHORIZED SOLICITATION OR CANVASSING - Soliciting or canvassing on university owned or controlled property without prior approval is prohibited. Authorization for canvassing in the Residence Hall is given only to recognized university groups or organizations. Solicitation is not permitted in the Residence Hall without the advanced written permission of the Office of Student Housing and Residence Life.

31. UNAUTHORIZED BUSINESSES AND PROFESSIONAL SERVICES - Students are not allowed to conduct businesses on campus or in the residence halls. Businesses, as defined by the Student Code of Conduct, pertain to any service or goods provided in exchange for cash, services, or any other form of benefits. Performing professional services on university owned and/or controlled property is strictly prohibited. Professional services are defined as services that would require a license, permit, certificate, or other form of authorization permitting the individual to perform such services, including but not limited to tattooing, massages, and haircuts. The University reserves the right to prohibit any behaviors that is not in keeping with the general health and safety of the university community.

32. SAFETY OF OTHERS - No person shall create conditions that endanger or threaten others or their property, or create a health hazard or nuisance.

33. BULLYING - Bullying is behavior that is repetitive, pervasive, and egregious and intended to intimidate, harass, frighten, abuse, insult, threaten, or otherwise harm an individual psychologically or physically. Bullying behaviors include, but are not limited to verbal, written, and
physical abuse. Verbal abuse can include name calling, taunts, and threats. Written abuse, or “cyber-bullying,” can include texts, emails, and online posts. Physical abuse can include pushing, shoving, and blocking someone’s way. In addition, unwanted sharing of embarrassing pictures or videos, maintaining an online presence while pretending to be the victim, unsolicited surveillance, and invasion of privacy, such as reading private emails or text messages, are all considered bullying behaviors.

34. PHYSICAL ASSAULT or PHYSICAL VIOLENCE - Intentionally inflicting bodily harm upon any person; taking reckless action that results in harm to any person; or threatening by any means of transmission the use of force to harm or injure any person.

35. RETALIATION – Actions that are meant to harass, intimidate, threaten, or bully another member of the university community who in good faith made a complaint, raised a concern, provided information or otherwise assisted in an investigation or proceeding regarding any conduct that he or she reasonably believes to be in violation of the Student Code of Conduct or other university policy; actions include but are not limited to contacting the reporting party to prevent them from reporting, making threats against them for reporting, or asking another individual to do the same may all be considered acts of retaliation.

B. Residence Hall Specific Violations

All violations listed in Section A. apply to students residing in residence halls as well as their guests. The following additional actions are also considered violations of the Student Code of Conduct and are subject to sanctions imposed in accordance with the Non-Academic Disciplinary Procedures of the university.

Definitions: As used in this document, the term “Residence Hall” means any building, room, facility, or premises owned and/or operated by the university for use as a dormitory, whether by lease or by contract, to students enrolled at the university.
“Resident” means any student, whether undergraduate or graduate, occupying a space in a Residence Hall.

1. FAILURE TO COMPLY WITH HOUSING CONTRACT & REGULATIONS - Failure to comply with regulations set forth in the Residence Hall Handbook, the Housing Contract, and as set forth by the Office of Student Housing and Residence Life is prohibited. Failure to comply with official requests from university staff, including but not limited to housing and security staff, in the performance of their duties.

2. GARBAGE AND OTHER HEALTH HAZARDS - The following are violations:
   ● Failure to keep rooms and shared common areas reasonably neat and orderly as determined by university staff.
   ● Failure to keep such areas free of excessive trash and floor space free from debris and other hazards.
• The creation of an environment that presents a health and safety risk to other members of the community and/or that endangers or threatens others or their property, or creates a health hazard or nuisance.

3. GUEST POLICY VIOLATIONS - Guests must abide by the Housing and Residential Education Guest Policy as set forth in the Residence Hall Handbook.

4. SAFETY PRECAUTIONS
   a. Windows - No person may place objects on the outside, or inside of window sills. No objects of any kind are to be thrown from or at the windows. Removal of screens, window locks, or window guards, is prohibited.
   
   b. Prohibited Items - The following items are not permitted in the residence hall: cooking appliances with exposed elements (open coil); hot plates; candles of any kind; incense and incense burning devices; live trees of any kind; changes to electrical wiring, heating, or alarm systems; and other items as deemed not appropriate by university staff. In addition, the use of the following items is prohibited in the residence hall: roller blades/skates, skateboards, or bicycles in the hallway or on any university property; mopeds or motorcycles.
   
   c. Cooking - In accordance with New York State Health Codes, students may not cook in their bedrooms. In certain Residence Halls, kitchenettes are provided for this purpose. Where provided, cooking equipment must be properly maintained and cleaned.

C. Rights and Expectations of The New School

1. The university reserves the right to enter rooms at any time without a search warrant for the purpose of maintaining safety and security standards, to enforce health regulations, to follow through with disciplinary action, to maintain the orderly operation its buildings, and to respond to emergency situations.

2. The university reserves the right to require students to change rooms or Residence Halls, without prior notice, when necessary.

3. The university reserves the right to notify parents of a student’s violation of the Student Code of Conduct or other non-academic policy where appropriate.

4. The university reserves the right to hold students financially responsible for all losses and damages to university property.

5. The university expects each student to be responsible for securing personal property. The university will not be responsible for the loss, theft, or damage to personal effects of students and their guest(s). Students are strongly advised to obtain the appropriate homeowner or renter insurance coverage on valuables.

6. The university expects students to comply with any instruction from an identified university official, performing their duties in the enforcement of application of university policy. Students are
expected to show their university identification card upon request to any Residence Hall staff person and other appropriate university official, performing their duties in the enforcement or application of university policy.

7. The university reserves the right to amend the Student Code of Conduct and the Non-Academic Disciplinary Procedures at any time. All students are expected to familiarize themselves with the Student Code of Conduct. Any updates made to the Student Code of Conduct will be sent out to the university community.