

# STUDENT CODE OF CONDUCT

The President of the College and the Vice President for Student Affairs recognizes the rights of designees including University Police, to enforce all regulations, policies, license agreements, laws and codes on campus. If any individual allegedly violates the laws, Student Code of Conduct or campus policies, a President's designee will institute proceeding against the offender(s).

Alleged violations of the law or campus policies may result in EXPULSION/SUSPENSION from the College and/or other disciplinary action.

Alleged violation of the Student Code of Conduct is listed under two (2) categories: Level I and II. Any violation is strictly prohibited and may result in a disciplinary action ranging from a warning letter to probation, suspension or dismissal from the College.

## PREAMBLE

### ARTICLE I

1. Farmingdale State College is committed to providing an environment in which living and learning can occur. In order to function effectively and to provide an educational climate in which members can fulfill their academic pursuits and the educational objectives of the campus community, guidelines for defining individual rights and responsibilities are outlined in this Student Code of Conduct. The Student Code of Conduct has been adopted for the purpose of maintaining a quality of life that shares rights, privileges and responsibilities among its citizens, not for the purpose of duplicating public statutes and respect for the dignity and rights of students, staff, and groups in the campus community. Alleged violations of the Student Code of Conduct, local, state or federal statutes on campus will not be tolerated and are subject to the campus judicial processes. Each student, as a representative of the College, is expected to uphold the good name of the College and respect the rights and privileges of the College community. As such, incidents which occur off campus, that are alleged violations of local ordinances, State, Federal law, on or off the College's premises, or at College sponsored or supervised activities where said alleged violations pose a possible threat and/or danger to the safety of the campus community, may be adjudicated on campus. The College will exercise this option when:
  - The student(s) can be reasonably considered a possible threat and/or clear danger to the safety of the College community.
  - The academic integrity processes and/or functions of the College are violated.

Upon notification of an individual of concern by any office or campus community member, an investigation will be initiated to assess potential threat. Other campus departments may be involved to determine a course of action, as appropriate.

Disciplinary action by the College shall be independent of any criminal or civil proceedings. The campus judicial procedures, established to respond to these alleged violations, do not duplicate public court procedures, but protect the campus community's interests.

In cases pending court action, the College may postpone judicial action and establish a student status appropriate to pending off campus actions.

## VIOLATIONS OF THE FARMINGDALE STATE STUDENT CODE OF CONDUCT

**Alleged violation of the Student Code of Conduct is listed under two (2) categories: Level I and Level II. Any violation is strictly prohibited and may result in a disciplinary action ranging from a warning letter to probation, suspension, dismissal, or expulsion from the college with a permanent transcript notation.**

### ARTICLE II

#### Level I Violations

1. Acts or expression of racial, ethnic, sexual, gender, disability, or religious discrimination.
2. Harassment of any kind, including but not limited to electronic harassment (e.g., text messaging, social network communication).
3. Sexual misconduct, including but not limited to stalking, harassment, or lewd and obscene behavior.

4. Acts or expressions of bias conduct which could result in a crime.
5. Assault, physical attack, intimidation, or attempted assault of any person on College owned or controlled or shared property or at any College sponsored, affiliated, or supervised functions (Note: this may apply to actions off campus). No person either alone or in concert with others, shall willfully cause physical injury to any other person or threaten to do so.
6. Disorderly conduct, including but not limited to indecent or inappropriate verbal/non-verbal behavior that destabilizes a particular campus setting, be it academic and/or social. (e.g., obscene language, an offensive gesture).
7. Verbal, non-verbal, or electronic threats against another Farmingdale State College community member.
8. Conduct that threatens or endangers the health or safety of any person. This includes the operation of a motor vehicle recklessly or while impaired.
9. Possession and/or use of weapons or firearms (pursuant to Item 080.1 of the Board of Trustees Administrative Policies) of any kind, including, but not limited to, explosives, knives, billy clubs, dangerous chemicals of any kind, fireworks, dart or "BB" guns, air guns, paint guns, bows, arrows, etc.
10. Acts of arson or related fire violations. Falsely reporting or threatening a fire. Tampering with fire safety equipment, including fire alarms. Tampering or causing damage to College lights, lighting systems, alarm systems, video systems, sprinkler systems, emergency management systems, or any other facilities or equipment associated with health, safety or fire safety.
11. Making a bomb or other security threat, or tampering with security systems on property owned, controlled or shared by the College.
12. Disrespect or failure to comply with the directions of College officials acting in the performance of their duties or in applying the rules and regulations of Farmingdale State College. This includes, but is not limited to, failure to evacuate any campus building appropriately.
13. Involvement of any kind as an individual or member of a group which engages in "hazing" of another student or person on or off the campus of Farmingdale State College.
14. Violation of the Campus Alcohol Policy anywhere on the campus of Farmingdale State College and/or while officially representing the College at events and activities or through membership of a Farmingdale State athletic team.
15. Violation of the Campus Drug Use Policy anywhere on the campus of Farmingdale State College and/or while officially representing the College at events and activities or through membership of a Farmingdale State athletic team.
16. Possession of drug-related paraphernalia and/or devices, or alcohol delivery devices.
17. Forgery, alteration, or misuse of College documents, records, identification, or computer access codes. This may include false information provided on College documents including, but not limited to, the SUNY admissions application.
18. Making or distributing unauthorized video and/or photographic images and/or audio recordings of a person in a location in which that person has a reasonable expectation of privacy (e.g. use of drones).
19. Use of cell phones or other electronic transmittal devices/technology during class time or in a public program, without express permission of the faculty or college official in charge. This includes, but is not limited to, text messaging.
20. Violation of College Academic Integrity Policy.
21. Violation of the College's "Acceptable Use Policy for Computer Facilities". This includes the use of College computer facilities and systems for commission of crimes, solicitation, and violations of the Code of Conduct and the Guidelines for the Use of Digital Material.
22. Theft or attempted theft of property or services, or possession of stolen property belonging to the College or to another student or employee of the College. This may include falsifying payroll or altering time cards for services rendered, including College work-study.
23. Unauthorized entry to or use of campus facilities, residence halls, residence hall rooms, College controlled or shared properties.
24. Gambling anywhere on campus or at College controlled facilities, or College or student-sponsored events or

activities.

25. Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other College authorized activities/properties/operations.
26. Deliberate or careless damage to property.
27. Tampering with United States or campus mail, mailboxes, packages, or other federally or campus regulated package or mail services.
28. Theft, unauthorized use, or misuse of computer systems, telephone systems and telephone codes. Misuse of Student ID cards, meal cards, parking stickers, computer access codes or misrepresentation in the sale of textbooks/academic related materials.
29. Violation of Campus Traffic Regulations or fines.
30. Violation of College procedures affecting the function or operation of College services and/or departments.
31. Violation of any College initiated contract excluding the Residence License Agreement.
32. Violation of the Campus Housing Residence License Agreement.
33. Issuance of a false statement to College officials.
34. Failure to answer a summons letter issued by a College official.
35. Violation of College smoking policies. Please refer to the New York State and local smoking policies.
36. Other violations of expected and appropriate behavior as prescribed by the Maintenance of Public Order.
37. Failure to produce a valid RAM ID (which must be carried at all times while on campus), including, but not limited to, when requested by a College official.

A student charged with a Level I violation will have the right to face the accuser to hear the accusations either in person or via electronic/paper means (e.g., tape, digital, telephone, or transcript, etc.), the determination of which will be made by the Dean of Students/designee/Judicial Hearing Officer in consideration of safety for either accused or accuser.

### **ARTICLE III**

#### **Level II Violations**

Include, but are not limited to violation of the Terms and Conditions of the Residence Hall License Agreement.

\*Excessive noise at any time, possession of cooking devices, pets, violation of guest policy or visitation policy, use of waterbeds, selling or soliciting goods or services. Unsafe use of recreational equipment, including but not limited to skateboards, hover boards in the residence halls, bicycles, skates, or lacrosse/hockey sticks. Participation in water fights, pranks, unauthorized use of common areas, propping open of common area doors, throwing objects or dropping objects from windows.

\*Note: Music systems and radios are to be kept at a low volume at all times. Noise, including music, should not be audible beyond a closed room door or window during quiet hours. Violation may result in loss of use of the equipment/disciplinary sanction. The excessive noise infraction also includes car sound systems.

### **ARTICLE IV**

#### **Charges**

Any member of the College community may charge a student with an alleged violation of the Code of Conduct. The charge(s) must be sent in writing to the Dean of Students/designee who will investigate and, if warranted, proceed with disciplinary action against the alleged violator. Due process is guaranteed throughout the entire disciplinary process.

1. **Interim Suspension:** In certain circumstances (including, but not limited to, stalking, assault, verbal/physical threat, sexual violence, health/safety threat)— the Dean of Students/designee shall impose a temporary measure to immediately remove student(s) from classes, residence halls, activities or any other College privileges pending an investigation and hearing. Interim suspension shall be imposed to insure the safety and well-being of members of the College community, College property, or to ensure the student's own physical or emotional safety and well-being. The imposition of the Interim Suspension does not preclude further disciplinary actions. Students who are on "interim suspension" status must report to University Police upon entering the campus and then proceed to the disciplinary hearing when scheduled or counseling when required.

A review of all documentation and reports will be made and upon student request, may result in a modification of the interim suspension status prior to final action of the College.

- A. All students must telephone or email the Dean of Students Office within three (3) business days of the effective date of Interim Suspension to be advised of the date and time of the disciplinary proceedings. Students who are in an Interim Suspension status are not required to receive a separate letter of violation charges. Students who email MUST use Farmingdale email addresses.
- B. All students may also be advised in writing by mail or email (or in person if the interim suspension does NOT prohibit them from being on campus or at the time of the conduct of the hearing when mailing is not expedient) of specific charges of alleged violation(s) of the Code of Conduct. Reminder: All Students must still telephone contact the Dean of Students Office to be advised.
- C. Failure to communicate with the Dean of Students within the designated time will result in the disciplinary hearing being conducted in absentia and may result in dismissal from the College. Disciplinary action resulting from hearings held in absentia will have no right of appeal.
- D. Students who withdraw from the College prior to adjudication of a conduct case will have the following posted to their transcript:  
 Withdrew with disciplinary action pending

**2. Hearing Postponement Policy:** A student may request a maximum of two postponements of a hearing for legitimate or extenuating circumstances. All requests must be in written form and received by the Dean of Students/designee minimum of 24 hours in advance of the hearing. Request for a postponement of a Monday hearing must be received by 4:00pm on Fridays.

- A. The College reserves the right to postpone a hearing for legitimate reason at any time. Reasonable attempts will be made to contact the student at the telephone number on record at the College or via campus email.
- B. Failure to attend a scheduled hearing with no notification will result in the hearing being conducted in absentia. Disciplinary action, resulting from hearings held in absentia, have no right of appeal.

## **ARTICLE V**

### **Disciplinary Procedures**

1. A violator is charged with an alleged violation of the Student Code of Conduct. In other than Interim Suspension cases, The Dean of Students shall notify the student in writing of the charges within three (3) business days unless it is determined that more investigative time is necessary. Campus communication of charges of violation of Student Code of Conduct are delivered via U.S. Postal Service (certified and return receipt requested) and electronically via Farmingdale State College's email service. In the case of on-campus residents, written communications will be delivered to the student's residence hall mailbox (Students in an interim suspension status will be notified by both U.S. Postal Service to the home address currently on record in the College data base and campus residence). The charges shall note details such as: student's name and address, specific alleged violation of the Code, and the date, time and place of the alleged violation when appropriate. At this time a disciplinary hearing is scheduled by the Dean of Students. Failure to respond to notification of hearing will be considered as an admission of responsibility and appropriate sanction will be imposed. Refusal/failure to accept and/or sign for written/electronic communication regarding violations and/or charges DOES NOT preclude responsibility for the charges.

All disciplinary hearings will be conducted through a Judicial Hearing Process-Judicial Hearing Board or Administrative Hearing Procedure-at a time to be determined by the Dean of Students. The procedure by which a hearing will be conducted will be determined by the Dean of Students/designee.

- 2. The Dean of Students may continue to investigate the case as new or additional evidence is brought forth.
- 3. At the hearing, the student is called to discuss the charges with the Dean of Students/Judicial Hearing Board and present his/her account of the incident. The College reserves the right to search all individuals prior to entering the hearing.
- 4. The Dean of Students/Judicial Hearing Board and/or the student may call in persons who witnessed the incident to attend the hearing and discuss their account of the incident. The Dean of Students/Designee/Hearing Board must be notified of the presence of witnesses at least 24 hours in advance of the hearing. The admission of witness testimony or witness written statement is at the discretion of the Dean of Students and/or the members of the Judicial Hearing Board.

5. A student may appear with legal representation; however, this representative may serve only in an advisory capacity and may not address the Dean/Judicial Hearing Board. If legal representation is to be present, the Dean of Students must receive 24 hour written notice prior to the hearing. An original signed written letter notifying the retaining of legal counsel by the student must be presented prior to the conduct of the hearing. The Board/Dean of Students reserves the right to limit the number of representatives present at disciplinary proceedings.
6. A student may be accompanied by family members or friends; however, they may serve only in a supportive capacity and may not address the Dean/Judicial Hearing Board. If family members or friends are requesting to attend the hearing, the Dean of Students must receive 24 hour written notice from the student prior to the hearing. The admission of these members is at the discretion of the Dean of Students and/or the members of the Judicial Hearing Board. A student will be limited to a maximum of two support individuals upon approval of the Dean of Students and/or the members of the Judicial Hearing Board.
7. Failure on the part of the student(s) to appear at the hearing to discuss the charges is in itself a violation of the Student Code of Conduct and subject to disciplinary action.
8. If charges are without merit, the case against the student is dropped and the investigation shall promptly cease. The student will be found not responsible. In the event that additional information or evidence is made available to campus authorities, the campus reserves the right to reopen the case on the same or related charges.
9. If the Dean of Students/Judicial Hearing Board determines that there is a violation of the Student Code of Conduct, the student will be found responsible and sanctioned. Prior to final determination, in certain cases, the responding student and the reporting student will be provided with the opportunity to make a victim impact statement. This will be determined by the Dean of Students/designee.
10. The student will be notified in writing of the outcome of the hearing within an appropriate amount of time. Campus communication of charges of violation of Student Code of Conduct and determination letters are delivered via U.S. Postal Service (certified and return receipt requested) **and electronically via Farmingdale State College's email service**. In the case of on-campus residents, written communications will be delivered to the student's dorm mailbox (Students in an interim suspension status will be notified by both U.S. Postal Service to the home address currently on record in the College data base and campus residence). Refusal to accept and/or sign for written/electronic communication regarding the outcome of Judicial Hearings does not preclude responsibility for the outcome.
11. A student may appeal the Dean of Students/Judicial Hearing Board's sanction. All appeals must be filed within five (5) business days of receipt of notification of sanction to the Dean of Students. The student must write his/her appeal in compliance with the Guidelines for a Written Appeal available in Dean of Students'/Vice President's office, and online in the Student Handbook. The request for an appeal review does not assume a review will be granted.
12. The names of the specific members serving on a Judicial Board are to remain anonymous, with the exception of the Hearing Officer conducting the process.
13. A valid appeal will be reviewed by the Judicial Appeals Officer at an appeal review.
14. The recommendation of the Judicial Appeals Officer will be communicated to the Vice President for Student Affairs/designee who determines the College's final action.

## **ARTICLE VI**

### **Permanent Transcript Notation**

Students that are found responsible for Code violations and suspended from the College or expelled from the College for violation(s) of the Student Code of Conduct will receive a permanent notation on her/his academic transcript. Additionally, students found responsible for these violations resulting in their suspension or expulsion from the College shall not receive credit for the semester in which they are suspended or expelled. **ALL STUDENTS WHO ARE FOUND RESPONSIBLE FOR VIOLATION OF THE STUDENT CODE OF CONDUCT AND WHO ARE SUSPENDED OR EXPELLED FROM THE COLLEGE ARE NOT ENTITLED TO ANY FINANCIAL REFUNDS.** This includes tuition, fees, and room and board charges (including unused board). Thus, the suspended student and expelled student are **LIABLE** for all tuition and fees for that semester in which they were suspended or expelled from the College.

Students who are suspended from the College for a period of time less than a semester MAY still have a permanent transcript notation on hers/his academic transcript depending upon the circumstances surrounding the violation, the egregious nature of the violation, or the need for the notation in the judgment of the President of the College or his/her Designee as the Chief Campus Judicial Officer. During short term suspension from the College, students ARE NOT eligible for financial refunds for any missed services during the times of absence nor are they eligible to participate in campus events or co-curricular programs.

Transcript notations will be reflected as “DW” on individual courses, as appropriate and also be noted as “disciplinary suspension w/dates of suspension” or “disciplinary expulsion” for students who have been through the campus adjudication process.

Students who receive a transcript notation for disciplinary suspension from the College may appeal to have their notation expunged no sooner than one year after completion of suspension time/judicial sanction. Students who are expelled for disciplinary reasons will receive a permanent transcript notation.

In determining whether to remove the notation or not, the Vice President shall convene members of the Campus Judicial Appeals Board, the Dean of Students, and any others necessary to making a fair and appropriate decision. The recommendation of this group shall be made in writing to the President of the College or his/her Designee who will make the final decision.

Students who withdraw from the College prior to adjudication of a conduct case will have the following posted to their transcript:

Withdrew with disciplinary action pending

**For additional record request information see section “Student Conduct Record Request Procedure.”**

### **Judicial Hearing Board**

The Judicial Hearing Board will be convened by the Dean of Students/designee in cases that could result in significant disciplinary action, including but not limited to, suspension or expulsion from the College.

The Judicial Hearing Board is composed of two faculty members, two students, and two professional staff members. Recommendations for faculty, professional staff and student appointments will be made to the Dean of Students.

In order for a Judicial Hearing Board to be conducted, a minimum of one student, one faculty member and one professional staff member, plus the Dean of Students/designee must be present to satisfy quorum requirements.

All proceedings of the Judicial Hearing Boards will be recorded. These will serve as the official record of the College. No other recording will be permitted. Students may request a copy of the proceedings by submitting a written request to the office of the Dean of Students, Laffin Hall #314. Fees will be assessed for copies of documents, audio and video recordings, as appropriate.

### **Sanctions:**

The Dean of Students/Judicial Hearing Board conducts a hearing with the alleged violator to which charges, witnesses and evidence are discussed. The Dean of Students/designee may invoke the following sanction(s):

- 1. Disciplinary Warning** - a verbal/written statement from the Dean of Students/designee expressing disapproval of conduct. A record of disciplinary reprimand will be maintained by the Dean of Students’ Office.
- 2. Social Probation**-during the probationary period, a student is excluded from participating in co-curricular activities and may not represent the College as an athlete or in any official capacity, nor may he/she hold any appointed or elected position within the College community. A record of a social probation sanction shall be maintained by the Dean of Students’ Office.
- 3. Restitution**- a written direction to replace, repair or make specific compensation for property of the College, another person, or College related property. A record of a direction to make restitution shall be maintained in the Dean of Students’ Office.
- 4. Disciplinary Suspension**- during the period of suspension, a student is excluded from classes and all other College privileges or activities. A record of disciplinary suspension is maintained as a permanent record in the Vice President for Student Affairs and Dean of Students’ Office. A disciplinary suspension of one semester or more will require the student to apply for readmission to the College subject to College policy and approval of both the Vice President and the Department chairperson. During this time, a “Dean of Students’ Hold” is placed on the student’s record.

5. **Disciplinary Expulsion-** a termination of enrollment of a student. The student will not be permitted to return to the College. The disciplinary expulsion is maintained as a permanent record in the student file and a “Dean of Students’ Hold” is placed on the student’s record.
6. **Community Service Sanction-** a constructive undertaking by a student, by agreement of the student and the Dean of Students/designee. A record of Community Service sanctions shall be maintained in the Dean of Students’ Office. If the Community Service Sanction is not satisfactorily completed, the Dean of Students/designee will place a “Dean of Students’ Hold on the student’s record, and may invoke further disciplinary action.
7. **Substitute Sanction-** the Dean of Students/designee reserves the right to impose an alternative sanction. Record of substitute sanctions shall be maintained in the Dean of Students’ Office.

**Note:** Any sanction determined for previous violations may be introduced in subsequent disciplinary hearings.

Students have the right to appeal any sanction imposed by the Dean of Students/designee/Hearing Officer. All appeals must be written to the Judicial Appeals Officer, and submitted to the Dean of Student’s Office within five (5) business days of receipt of sanction letter. Guidelines for written appeals are available in the Dean of Student’s Office. Appeals which do not adhere to these guidelines will not be considered by the Judicial Appeals Officer.

The Judicial Appeals Officer will determine the validity of the appeal and schedule a review if appropriate. The disciplinary procedures and sanctions stated in the previous section are in effect for 2015-2016 Academic Year and will remain in effect for all subsequent years unless superseded by a new or revised policy document.

## **STUDENT ORGANIZATIONS AND THE STUDENT CODE OF CONDUCT (SCOC)**

### 1. DEFINITIONS AND TYPES

Student Organizations are organizations that are operated by students at the College and are formally recognized by the College or its designee. Membership in student organizations consists of enrolled students and a faculty or staff advisor.

### 2. STANDARD OF CONDUCT

Student Organizations are expected to adhere to the same standards of conduct applicable to individual students. Specific violations of this standard include, but are not limited to:

- A. Violating, or permitting its members or their guest to violate, or failing to prevent, where such prevention was possible the violation of this Code of Conduct or any applicable local, state, or federal law. This includes “hazing” as specified in #13 of the Student Code of Conduct (SCOC).
- B. Committing any act in violation of any policy, procedure or agreement, including the College’s Residence License Agreement, Campus Computing Services Policies, Student Code of Conduct, other College Policies/Procedures, or another agreement between a student organization and a College official and department, as well as rules promulgated by the appropriate College official and any other rules made applicable to student organizations.
- C. No student organization or Student Activity Fee money may be used for the purchase of alcohol or alcohol related goods or services.

### 3. APPLICATION OF POLICY

- A. Any violation of this Code of Conduct by one or more members of a student organization may constitute a violation by the organization itself. Where those administering the Judicial Hearing Process conclude that there are sufficient connections between the acts of individual students and an organization to which they belong, sanctions may be imposed on the organization as well as any offending members. Conversely, when an organization has been found responsible for a Code offense, those administering the Judicial Hearing Process may impose sanctions on some or all members of that organization depending upon the degree of general participation in the offense. Rescission of recognition of the organization may result as all or part of a judicial action.
- B. In the event that a student or group is charged with an offense under the Student Code of Conduct, it shall not be a defense that the organization in question is one which is no longer recognized by Farmingdale State College as a result of its status being rescinded, revoked or suspended.

## **JUDICIAL APPEALS**

Judicial Appeals are considered by the Judicial Appeals Officer who receives, reviews and may hear appeals of disciplinary decisions made by the Dean of Students/designee/Hearing Officer. The Judicial Appeals Officer's responsibility is to recommend to the Vice President for Student Affairs/designee to accept, reduce, modify or remove the sanctions imposed by the Dean of Students/designee/Hearing Officer after review of all evidence and information pertinent to the student's appeal. Final decisions on all appeals will be determined by the Vice President for Student Affairs.

### **APPEALS PROCEDURES:**

1. The Judicial Appeals Officer is responsible for reviewing the determination of the Dean of Students/designee. However, the review of an appeal will be based solely upon the following issues:
  - a. Procedural Violations  
e.g., Was the student given an adequate opportunity to prepare and present a response to the charges?
  - b. Insufficient Evidence  
e.g., Was the evidence presented at the hearing "substantial" enough to justify the decision against the student?
  - c. Excessive Sanctions  
e.g., Was the sanction in keeping with the violation?
2. The appeal must be in writing, outlining the reasons for the appeal, addressed to the Judicial Appeals Officer, submitted and received by the Dean of Students' Office within five (5) business days of receipt of the sanction letter or verification of electronic transmission. Upon receipt of an appeal, the Judicial Appeals Officer will require records from the Dean of Students/designee for review.
3. The Judicial Appeals Officer may accept or deny the appeal based upon insufficient or inadequate information presented in writing by the student(s). If the Judicial Appeals Officer determines there is validity to the appeal, the case may be reviewed. The Judicial Appeals Officer will only review valid appeals of outcomes of disciplinary hearings conducted by the Dean of Students/designee. The appeal will be reviewed promptly. If the appeal is not valid, the sanction(s) will be implemented.
4. If the student's pending appeal is accepted by the Judicial Appeals Officer, the Officer may temporarily suspend any penalty imposed until the appeal process is completed. This may be done only after consultation with the Dean of Students/designee, or the Vice President of Student Affairs/designee.
5. The appeal and the documentation shall be reviewed. The Judicial Appeals Officer may invite the student who is appealing, the Dean of Students, or others to provide more details for clarification, if necessary.
6. The Judicial Appeals Officer may recommend accepting, modifying, reducing or dismissing the sanction imposed by the Dean of Students/designee/Judicial Hearing Board. The Judicial Appeals Officer will make his/her final determination and send the recommendation to the Vice President for Student/designee for approval. The student will be notified in writing of the final determination within five (5) business days of the review. All letters will be delivered via U.S. Postal Service (certified and return receipt requested. In the case of on-campus residents, written communications will be delivered to the student's room or mailbox in addition to U.S. Postal Service to home address currently in the College files or electronically via campus email).
7. All records of actions by the Judicial Appeals officer will be kept in the official files of the Vice President for Student Affairs/designee and Dean of Students.

**Permanent records of major violations will be kept in the Dean of Student's files for cases of suspension and expulsion.**

### **PETITION FOR APPEAL**

1. A dated letter must be submitted to the Judicial Appeals Officer stating the basis for the appeal.
2. The review of the appeal will be based upon the following criteria:
  - a. Was the student given an adequate opportunity to prepare and present a response to the charges?  
(PROCEDURAL VIOLATION)
  - b. Was the evidence presented at the hearing "substantial" enough to justify the decision against the student?  
(INSUFFICIENT EVIDENCE)



- c. Was the sanction in keeping with the violation? (EXCESSIVE SANCTION)
3. A request must be submitted within five (5) business days of the day on which the student received notification of the disciplinary sanction from the Dean of Students/designee.
4. The review will result in one of the following:
  - a. dismissal of the sanction
  - b. reduction of the sanction
  - c. modification of the sanction
  - d. agreement with the sanction for immediate implementation

## **PETITION STATEMENT**

Each petition document must include the following statement:

I, \_\_\_\_\_ (Student Name) \_\_\_\_\_, am appealing the disciplinary sanction imposed by the Dean of Students/designee on \_\_\_\_\_ (DATE) \_\_\_\_\_.

PRINT Name: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

## **STUDENT CONDUCT RECORD REQUEST PROCEDURE**

All student conduct records maintained in the Office of the Dean of Students may be accessible by the student for review by appointment only. Copies of documents will be provided with a written, signed request providing the details of the documents being requested. There may be charges assessed dependent upon the medium of the records being requested. Contact the Dean of Students Office for further information or email [dean.students@farmingdale.edu](mailto:dean.students@farmingdale.edu).

## **NEW YORK STATE SMOKING POLICY**

**The amended New York State Clean Indoor Air Act, which took effect on July 24, 2003, requires every employer in the State to provide smoke-free work areas for all employees in the workplace, including prohibition on smoking in all public buildings.**

### **FARMINGDALE STATE COLLEGE POLICY**

Maintaining a healthy environment for the benefit of all students, faculty, staff and visitors is a major priority for the college. Therefore, the college is taking steps to move to a "Tobacco-Free Campus." In the spirit of acknowledging the difficulty of attaining a tobacco-free campus, we have adopted the motto: "**Help Farmingdale State Become a Tobacco-Free Campus.**" The support of the entire campus community is required and requested in order to ultimately attain this goal, as described below.

1. Smoking and the use of other tobacco products, including electronic cigarettes, is prohibited inside all buildings, within 25 feet of the perimeter of all buildings, along pedestrian pathways and at outdoor events.
2. Signs will be placed at appropriate locations around campus.
3. Programs will be provided to support smokers and users of other tobacco products in their effort to quit. Activities will include smoking-cessation sessions, distribution of literature, establishing informational web pages, and other means to encourage individuals to stop smoking and using other tobacco products.
4. Enforcement will be through cooperation of community members, education, and polite requests of those in violation to honor the policy. All members of the campus community are encouraged to help by reminding smokers when they violate the rules, by encouraging our colleagues who smoke to seek help to stop smoking, and by supporting them as they seek to stop.

*Adopted 11/17/2011; edited 5/2/2012; amended 4/4/2013*

## **FARMINGDALE STATE COLLEGE ALCOHOL POLICY**

For the latest Farmingdale State College Alcohol Policy information, please refer to the following web addresses:

<http://www.farmingdale.edu/campus-life/dean/>

<http://www.farmingdale.edu/university-police/>

# FARMINGDALE STATE COLLEGE DRUG POLICY

For the latest Farmingdale State College Drug Policy information, please refer to the following web addresses:

<http://www.farmingdale.edu/campus-life/dean/>

<http://www.farmingdale.edu/university-police/>

## ACADEMIC GRIEVANCE PROCEDURES

**Grade Grievance Procedure:** The following procedures serve as a structured mechanism to allow a group of faculty and students within the college community to review a given situation and to arrive at a fair and equitable resolution of the dispute. All official communications about grade appeals are to be sent to students by certified mail with a return receipt or by another written or electronic method for which delivery confirmation is available.

**Step 1:** A student who contests a grade recorded on the transcript must first discuss the grade with the instructor. This step must be initiated no later than 30 calendar days from the beginning of the academic semester following receipt of the grade. All grade grievances must be based solely on requirements listed on the instructor's syllabus, or the most recent college catalog, or a grade calculation (math) error.

**Step 2:** If no mutually satisfactory agreement can be reached with the instructor:

The student should submit to the instructor's department chairperson\* or designated representative, a written statement of the grievances, within seven (7) calendar days of the completion of Step 1. Before any review can be undertaken by the department chairperson, the student shall submit records of evaluations, tests, term papers, projects, and/or any other information from which judgments can be or were made. It is expected that in support of this process, the instructor will provide copies of all appropriate materials.

The chairperson shall, within fourteen (14) calendar days of the submission of the grievance, communicate with each party to discuss the problem and collect evidence.

The chairperson shall submit a written recommendation to both parties within seven (7) calendar days. Copies of such recommendation shall be maintained by the chairperson.

If the chairperson is party to the grievance, the highest ranking senior member of the department shall act in the chairperson's stead.

\*Note: The role of the department chairperson may be superseded by a departmental review committee if the department deems it desirable.

**Step 3:** If no mutually satisfactory agreement has been reached at the completion of the Step 2 process, either party may submit a written statement of appeal with supportive information to the chairperson of the Admissions and Academic Standards Committee. Such appeal must be submitted within fourteen (14) calendar days after receipt of the decision of the department chairperson or representative.

Within twenty-one (21) calendar days after receipt of the written appeal, the chairperson of the Admissions and Academic Standards Committee shall convene and chair a campus appeals committee.

The Campus Appeals Committee shall consist of:

The chairperson of the Admissions and Academic Standards Committee, or a member of that committee assigned by the chairperson.

The chairperson of the Faculty Executive Committee, or a member of that committee assigned by the chairperson.

An academic dean, assigned by the Provost, from a school other than that in which the grievance occurred.

The chairperson of the appropriate student governing body of SGA or a member of that body assigned by the chairperson.

No member of the committee shall be a member of the department in which the grievance occurred.

The department chairperson or representative shall make available to members of the Campus Appeals Committee all information relating to the grievance.