Student Conduct Manual

2014-2015

Plattsburgh
STATE UNIVERSITY OF NEW YORK
Dear Student:

SUNY Plattsburgh is indeed a very special place. As a member of the professional staff, I have developed very strong ties to the College and to the community through my many positive experiences. I hope that you will have similar experiences here at Plattsburgh, and that those experiences will have the same beneficial influence on you.

Learning at college continues when you have left the classroom. Each office on our campus is here to support you and your educational experience. The Student Conduct Office is no different. Section 356 of the Education Law empowers the College Council to make regulations governing the conduct of students. The responsibility for dealing with these regulations is delegated to the Student Conduct Office. All of the regulations and procedures that follow are applicable to each student at SUNY Plattsburgh. You should take it upon yourself to know the specific regulations contained in this and any other official documents publicized by SUNY Plattsburgh, as ignorance of a regulation will not be accepted as a justification for a violation.

The Student Conduct Office operates under the assumption that a person’s behavior should demonstrate respect for self, respect for others, respect for the community, and responsibility for one’s own actions. Unfortunately, much like society at large, no community is perfect. A need has been shown for the development of regulations outlining behavior on our campus. These regulations apply to all students regardless of gender, age, race, religion, sexual orientation, condition of disability, or any similar characteristic.

It is the belief of the College that a full educational experience requires hard work, time, and exposure to many varied experiences. The path towards success is not the same for each of us. The conduct system is intended as a constructive means to aid students on their unique journey. Sanctions given for violations of College regulations are intended to make clear the limits of acceptable behavior and to give the student who has exceeded those limits the opportunity to more fully understand them, to accept them, and to learn how to incorporate the experience in his/her overall learning.

The design of our system is intentional in its need for campus involvement. It operates in a College community that is very important to all of us. Maintaining a standard of acceptable behavior that protects the rights of everyone is a matter of interest to each and everyone in the SUNY Plattsburgh Community.

I wish you well as you pursue your degree. Please feel free to stop by the Student Conduct Office, on the sixth floor of the Kehoe Administration Building, with any questions you might have.

Sincerely,

Larry Allen
Director of Student Conduct
Mission Statement:  Student Conduct Office

The Student Conduct Office will provide an educational, supportive, accountable, impartial and fair adjudication process for the College Community, which holds students accountable for their actions and promotes their personal, ethical and social development while preserving the rights of all individuals involved.

*For the purposes of this document and related forms, the terms “Student Conduct/Conduct” and “Judicial” are interchangeable.


Revised August 2014
I. COLLEGE REGULATIONS

SECTION 1: Academic Dishonesty
Cheating and Plagiarism are the willful misrepresentation of all or part of another’s work as one’s own.
1.01 Cheating in all its forms, or attempting to cheat is prohibited. Examples of cheating include, but are not limited to: Copying another’s answers or giving or receiving un-permitted aid during classroom or take-home examinations or on assignments, papers, research reports and projects.
1.02 Plagiarism, in all its forms is prohibited. Examples of plagiarism include, but are not limited to: the use of presentation of the ideas or words of another, whether from print, digital, or aural sources as one’s own, failure to cite the source of information and ideas taken from the works of others.

SECTION 2: Aiding and Abetting
A student aiding and abetting another person in violation of a college regulation will be subject to disciplinary action.

SECTION 3: Alcohol
3.01 The Alcohol Policy of SUNY Plattsburgh is compliance with New York State Laws and local City Ordinances, which prohibit the following:
- Sale of alcohol without a license
- Sale or giving alcohol to any person under the age of 21
- Purchase of any alcoholic beverage by a person under the age of 21
- Possession of alcohol with the intent to consume any alcoholic beverage by any person under the age of 21
- Possession of an open alcohol container in a public place
3.02 Possession of an open alcohol container on the SUNY Plattsburgh campus, outside of the legal and personal possession in residence halls, as defined in the Residence Hall Manual, or at an event catered by Campus Dining Services, is prohibited.
3.03 Alcohol events or parties are not permitted in residence halls. Only legal and personal consumption of alcohol, as defined in the Residence Hall Manual, is permitted in college residence Halls.
3.04 Persons under 21 years of age may not be in possession of alcohol on the SUNY Plattsburgh campus, nor may they be present where there is an open alcohol container, with the exception of events catered by Campus Dining Services, on the SUNY Plattsburgh campus. Empty alcohol containers shall be considered “open alcohol containers” on the SUNY Plattsburgh campus.

SECTION 4: Animals
4.01 Animals are not permitted in campus buildings.
4.02 Students who allow their pets to run loose on campus or allow them to create disturbances subject them to impoundment and subject themselves to disciplinary action.

SECTION 5: Computer Use Violations
Students using College computers or related services are expected to know and abide by the regulations governing their use as set forth by Library & Information Services. Failure to abide by these regulations may result in judicial procedures.

SECTION 6: Damage to Property
6.01 Willful or careless destruction, defacement of or tampering with College property or property of others is prohibited.
6.02 Use of College property outside of its intended or legal use is prohibited. Solicitation on the College Campus is prohibited outside of those activities approved and authorized by the College.

SECTION 7: Disorderly Conduct
7.01 Any offensive or disorderly act or display which interferes with the rights of others is prohibited.
7.02 Harassment, threats, physical abuse or the threat of physical abuse including bias related incidents are prohibited.

SECTION 8: Drugs
8.01 Illegal possession of or using controlled drugs or drug paraphernalia, as defined in the New York State Penal Law, is prohibited.
8.02 Attendance at a gathering where illegal drugs have been used constitutes a violation.
SECTION 9: Endangerment
9.01 Reckless or intentional acts which endanger, or put at risk, the welfare of oneself or others are prohibited.
9.02 Threats, in any form, of behavior that could endanger oneself or others are prohibited.
9.03 Compromising the security measures of the campus is prohibited.
9.04 Failure to report any sexual abuse of a child occurring on SUNY Plattsburgh property or while off campus during official SUNY Plattsburgh business or sponsored activities will constitute a violation.

SECTION 10: Failure to Comply with Direction of College Official
Failure to comply with the directions of College officials acting in the performance of their official duties is prohibited.

SECTION 11: Fire Alarms, Fire Safety
11.01 Intentionally setting a fire without proper authorization, or giving false alarm of fire is prohibited.
11.02 Tampering with fire alarm devices or fire equipment is prohibited.
11.03 Failure to adhere to fire evacuation procedures is prohibited.

SECTION 12: Falsification of Information
12.01 Willful falsification of information on College records or to College officials is prohibited.
12.02 Willfully providing false information for purposes of obtaining services is prohibited.
12.03 Possession or use of another person’s ID card or an invalid ID is prohibited.

SECTION 13: Firearms, Fireworks, Explosives, Weapons
13.01 It is prohibited to carry or contain firearms, ammunition, gun powder, air rifles, air pistols, paintball guns or guns of any kind on campus.
13.02 Possession or use of fireworks on the College campus is prohibited.
13.03 Possession or use of knives or other weapons, dangerous chemicals, flammable liquids, explosive materials, except as authorized in the supervised pursuit, or the completion of academic programs, is strictly prohibited on the College campus.

SECTION 14: Greek Social Organization Violations
Students are expected to know and abide by the regulations governing Greek Social Organization, as set forth in the Fraternal Standards Manual available at the Center for Student Involvement. Failure to abide by these regulations may result in judicial procedures. (e.g., Accepting membership into an organization not eligible to have new members (due to the Group’s suspension or withdrawal or recognition) or perpetuating the existence of a group that has lost recognition from the College is a violation.)

SECTION 15: Guests
Students are responsible for informing their guests of College regulations and will be held accountable for the behavior of their guests.

SECTION 16: Hazing
16.01 Hazing in every form is prohibited. Hazing is considered to be interference with the personal liberty of others and includes any act of domination by some students over others for the purpose of joining, affiliating, or maintaining membership in a group or organization which, may lead to injury, emotional disturbance, physical discomfort or humiliation.
16.02 Harassment by banter, ridicule or criticism or playing abusive and humiliating tricks or pranks are prohibited.
16.03 Hazing which involves the forced consumption of alcohol, drugs, or any other substances is prohibited.

SECTION 17: Library Violations
Students using College library facilities or services are expected to know and abide by the regulations governing the library by the Library & Information Services. Failure to abide by these regulations may result in judicial procedures.

SECTION 18: Obstruction of College Activities
Obstruction of teaching, research, administration, disciplinary procedures, or other College activities, including public service functions or other authorized activities on campus is prohibited.

SECTION 19: Residence Hall Violations
Students are expected to know and abide by the regulations governing residence life as set forth in the Housing Manual, available to each student along with a Housing License Agreement. Failure to abide by these regulations may result in judicial procedures.
SECTION 20: Sexual Harassment and Sexual Violence
20.01 Sexual Violence, as defined by the College Sexual Harassment and Sexual Violence policy, available at: http://www.plattsburgh.edu/policies/administrative/sexualviolencepolicy.php, is prohibited.
20.02 Sexual Harassment, as defined by the College Sexual Harassment Policy, available at: http://www.plattsburgh.edu/policies/administrative/sexualviolencepolicy.php is prohibited.

SECTION 21: Theft
21.01 Theft of property on the College campus is prohibited.
21.02 Theft of services on the College campus is prohibited.
21.03 Removal of College property from common use areas is prohibited.
21.04 Removal of books or other items from College facilities without following prescribed procedures is prohibited.
21.05 Possession of property illegally procured is prohibited.

SECTION 22: Trespass
Entering any College facility except in accordance with established regulations is prohibited.

SECTION 23: Use of the College Name
Use of the name or logo of the College is prohibited unless specifically authorized in writing by the President of the College or delegated representative. Students are prohibited from falsely presenting themselves as entities of the College beyond the normal scope of activities associated with their student or employment status.

SECTION 24: Violation of Condition of Judicial Action
Students who violate the conditions of judicial actions placed upon them are thereby in violation of College regulations and may be subject to further disciplinary action or an additional Judicial sanction as described in Section 5 of this manual.

SECTION 25: Violations of Civil or Criminal Law
Violation of Federal, state, or local laws in a way that affects the College community’s pursuit of its educational purposes is prohibited and may subject students to disciplinary action. Such violation may be established independent of and prior to a criminal conviction.

SECTION 26: Violent Behavior
26.01 Violent behavior is prohibited.
26.02 Behavior that is considered stalking, as defined by the College’s Intimate Partner Violence and Stalking Policy, available at: http://www.plattsburgh.edu/policies/administrative/intimatepartnerviolencepolicy.php, is prohibited.
26.03 Dating violence and domestic violence as defined by the College’s Intimate Partner Violence and Stalking Policy, available at: http://www.plattsburgh.edu/policies/administrative/intimatepartnerviolencepolicy.php, is prohibited.
26.04 Sexual assault, as defined by the College Sexual Harassment and Sexual Violence policy, available at: http://www.plattsburgh.edu/policies/administrative/sexualviolencepolicy.php, is prohibited.

II. ORGANIZATION OF THE STUDENT CONDUCT SYSTEM
A. Director of Student Conduct
The Conduct system at SUNY Plattsburgh is under the direction of the Director of Student Conduct. The Director of Student Conduct is charged with the responsibility for seeing that due process is provided to students accused of violating College regulations and, to accomplish this task, has the following duties:
1. Revises, as needed, and publishes a Student Conduct Manual which details those College regulations for which all students will be held accountable through the College Conduct System.
2. Solicits, selects, and trains Judicial Assistants as needed.
3. Solicits, selects, and trains faculty/staff and students for the judiciary pool from which Student Conduct Boards are impaneled to hear cases.
4. Receives Judicial Referrals for alleged violations of college regulations, by individual students, as set forth in the Student Conduct Manual.
5. Sets up a review with each student so referred to discuss the charges and the student’s rights.
6. Schedules and chairs Administrative or Student Conduct Board hearings as required.
7. Determines the sanction to be applied if the student is found responsible in all cases except those related to Academic Dishonesty. Sanctions for cases involving Academic Dishonesty are determined as outlined in Section III, G.
8. Officially communicates all judicial charges and decisions to each student so charged.
9. Notifies college officials whose relevant interest necessitates their being informed of a violation of College Policy.
10. Maintains the College’s official judicial records.

B. STUDENT CONDUCT BOARD
1. The Student Conduct Board is composed of the Director of Student Conduct or designee, and three to five members. Whenever possible, two to four members are students selected from the judiciary pool and one or two members are faculty/staff from the college.

In Academic Dishonesty cases, the Student Conduct Board is composed of the Director of Student Conduct or designee, who directs the hearing and three to five members. Whenever possible, in cases of Academic Dishonesty, two to four members are faculty/staff members, which includes a representative of the Office of the Dean of the faculty where the course or academic activity in question is offered, and one to two are selected from the judiciary pool.

The Student Conduct Board serves as a panel to hear the case of a student who has pled not responsible and who has been offered a Student Conduct Board Hearing. Selection of the board for any given case depends on the availability of the members at the time scheduled for the hearing and their declared lack of personal acquaintance with or bias for or against the student involved.

2. The Student Conduct Board has the following responsibilities:
   a. Hears cases as scheduled.
   b. Hears all statements and evidence related to the case in question.
   c. Seeks answers to all questions pertaining to the statements and evidence presented.
   d. Determines if the student is responsible or not responsible after a full and confidential discussion of the case.
   e. May make a recommendation to the Director of Student Conduct in determining a sanction.
   f. Acts in and an advisory capacity upon the request of the Director of Student Conduct, or designee in a case where the student has pled responsible but where the sanction may be so severe that a full review of all relevant facts is desired for a fair perspective.

C. JUDICIAL APPEAL BOARD
1. The Judicial Appeal Board is constituted in the same way as the Student Conduct Board. In the case of an appeal, the board would be made up of an entirely different group of students and staff from the original Student Conduct Board. The Judicial Appeal Board is chaired by a member of the Student Affairs Division, appointed by the Vice President for Student Affairs. If an Academic Dishonesty case is appealed, the Judicial Appeal is heard by the Provost/Vice President for Academic Affairs or their designee.

2. The Judicial Appeal Board has the following responsibilities:
   a. Hears appeals as scheduled.
   b. Informs itself of the statements and evidence presented at the original hearing.
   c. Seeks answers to all questions relevant to the case.
   d. Recommends to the Chair, after a full and confidential discussion, a final sanction of the case.
   e. The Chair of the Judicial Appeal Board has the responsibility for determining the final sanction. In Academic Dishonesty cases the Provost/Vice President for Academic Affairs or designee has the responsibility for determining the final sanction, based on the recommendation of the Dean of the faculty where the course was held or the incident occurred in consultation with the Director of Student Conduct and the Dean of the faculty of the student's major.

III. STUDENT CONDUCT SYSTEM PROCEDURES
A. JUDICIAL REFERRAL
1. Any member of the College community may refer a student for judicial action when it is believed that the student has violated a college regulation.
2. Referrals for judicial action must be submitted through the Director of Student Conduct On-line Referral System. Members of the College Community who do not have direct access to this system must meet with the Director of Student Conduct, on the 6th floor of the Kehoe Administration Building, to submit referrals.

B. JUDICIAL CHARGES
1. The Director of Student Conduct, upon receiving a referral, determines the charges and sends notice, when appropriate, of the reported violation to the student who has been referred.
2. If the Director of Student Conduct feels that a referral does not warrant charges, the case may be dismissed after a review with the Chief Student Affairs Officer.
3. The notice, in addition to the reported violation, lists the rights and responsibilities of the student and schedules an appointment for a Review of Judicial Charges and Procedures.
4. Charges are forwarded to the student by the Director of Student Conduct. While an academic semester is in session, the appointment for the Review is generally set within 2-3 business days of receipt by the student who is being charged.

C. REVIEW OF JUDICIAL CHARGES AND PROCEDURES
1. The Director of Student Conduct or designee states the charge against the student and reviews the rights of the student. Failure to appear for the review constitutes a plea of Responsible.
2. The student may plead Responsible to the charge, or another charge which is deemed appropriate at the discretion of the Director of Student Conduct or designee, at the time of the Review. In this case, the Director of Student Conduct or designee accepts the plea and determines the sanction that will be applied.
3. The student may plead Not Responsible to the charge at the review.
   a. The Director of Student Conduct or designee may determine that if the sanction for a violation is to be no greater than Probation with conditions, a hearing may not be justified. In such a case the Director of Student Conduct or designee will hear the student’s information and make a determination of responsible or not responsible.
   b. If the potential sanction for the violation would be greater than a reprimand but less than a sanction that would qualify for a Judicial Appeal Hearing the student will, in most cases, be given an Administrative Hearing.
   c. If the potential sanction for the violation would be subject to appeal, the student will be granted an Administrative Hearing or a Student Conduct Board Hearing. Relocation, loss of residence license, suspension, and dismissal are subject to appeal.

D. ADMINISTRATIVE HEARING
1. An Administrative Hearing, in most cases, will be held for a student who pleads not responsible and whose sanction would not be subject to appeal. As referenced in Section III, E, 1, a student may have the opportunity, in cases which might result in sanctions subject to appeal, to have the case heard in an Administrative Hearing.
2. An Administrative Hearing differs from a Student Conduct Board Hearing in that only the Director of Student Conduct or designee hears the case rather than a panel of students and staff. Like a Student Conduct Hearing, it is a hearing with full presentation of evidence and witnesses. In an Administrative Hearing, the Director of Student Conduct or designee will weigh the evidence as judicial action, will make a final decision, based on a preponderance of the evidence presented, of responsible or not responsible, and will decide upon the sanction if responsibility is adjudged.

E. STUDENT CONDUCT BOARD HEARING
1. A Student Conduct Board Hearing, in most cases, will be held for a student who pleads not responsible to a violation which could involve a sanction subject to appeal. A student who has plead not responsible to a violation which might result in a sanction which is appealable may request an Administrative Hearing. The sole discretion lies with the Director of Student Conduct to determine whether an Administrative Hearing may be held rather than a Student Conduct Board Hearing.
2. In the case of a student who pleads not responsible, the Student Conduct Board makes a final decision, based on a preponderance of the evidence presented, of responsible or not responsible.
3. Upon recommendation of the Board, the Director of Student Conduct or designee may consider a charge that involves an equal or lesser judicial sanction.
4. A majority of the votes decides the issue.
5. All members of the board have a vote. The Director of Student Conduct or designee votes only in the case of a tie.
6. When responsibility has been determined by the Student Conduct Board, the Director of Student Conduct or designee decides the sanction.

F. JUDICIAL APPEAL BOARD
1. A student found responsible for a violation may request an appeal for a sanction which they believe is too severe for the violation. Sanctions of relocation, loss of residence license, suspension, and dismissal may be appealed. In cases where a student has been found responsible for a violation of sections: 16, Hazing; 20, Sexual Exploitation; or 26, Violence (including Sexual Assault), the Victim has the right to appeal a sanction that they feel is not severe enough.
2. Appeals must be submitted on the Judicial Appeal Form, available in the Student Conduct Office.
3. An appeal must be requested in writing within 48 hours after the judicial decision has been communicated to each student. Time limit does not include weekends or college holidays.
4. Appeals are to be submitted to the Student Conduct Office.
5. The reason the individual believes the original sanction should be altered must be stated in the request for the appeal.
6. The student requesting an appeal in non-academic dishonesty cases must schedule the appeal hearing with the Chair of the Judicial Appeal Board within 7 days of the submission of the appeal form. Failure to meet this deadline will result in the forfeiture of the appeal.
7. The Chair of the Judicial Appeal Board upon receiving an appeal, will determine whether or not sufficient cause has been given for an appeal hearing to be granted. The Chair, whenever reasonable, will contact the submitter of the original Judicial violation, any victim(s), and relevant College Officials to gain further background information regarding the incident and/or the individual appealing the sanction.
8. Since an appeal hearing is not a new hearing, only the student in violation and victim (in appeals resulting from Hazing, Sexual Violence, or Violence) may be present or present information at the appeal hearing. The Chair of the Appeals Board will assure that in cases of Hazing, Sexual Violence, or Violence, the perpetrator and the victim are not in attendance at the same time.
9. The Judicial Appeal Board makes a recommendation to the Chair of the Appeal Board who makes the final decision and communicates that decision to the party(ies) within one week of the Appeal Hearing. In cases of Academic Dishonesty, the Provost or designee will communicate a final decision to the student within 1 week of receiving the appeal.
10. Failure to appear at the appeal hearing results in a forfeiture of the appeal.

G. SANCTIONING ACADEMIC DISHONESTY CASES
In Academic Dishonesty cases, the Dean of the faculty where the course was held or the incident occurred, in consultation with the Director of Student Conduct and the Dean of the Faculty of the student’s major, determines the sanction to be applied if the student is found responsible. In determining sanctions, this group must take into account any previous cases of academic dishonesty by the student in question, as evidenced by records held in the Student Conduct Office.

H. GROUNDS FOR A NEW HEARING
A case will be reopened only if significant new information, material and relevant to the case, not available at the time of the original hearing is to be presented, or if a violation of due process, either procedural or substantive has occurred. Either a student found responsible for a violation, the victim in cases of sexual assault, or the College maybe request reconsideration. All requests must be submitted, in writing, to the Student Conduct Office. Perceived violations of due process, either procedural or substantive must be submitted within 48 hours of the original hearing. Requests pertaining to significant new information, material and relevant to the case, not available at the time of the original hearing will be reviewed as they are submitted. All information submitted to the Student Conduct Office for purposes of having a case reopened will become part of the student’s judicial record. The Vice President for Student Affairs, in consultation with the Director of Student Conduct, will decide if there is significant new evidence or sufficient grounds, on a question of due process, to reopen a case.

IV. STUDENT RIGHTS WHEN CHARGED WITH A VIOLATION
A. The right to be presumed not responsible until responsibility is established. Responsibility is determined either by an admission of responsibility or by the presentation of information and evidence at a hearing, upon which the Director of Student Conduct or designee or a hearing board bases a decision of responsibility. Responsibility at Student Conduct Board, or Administrative Hearings, will be determined by a preponderance of the evidence presented.
B. The right to be given written notice of the nature of the charges and to be informed of one’s rights. These rights are printed on each charge slip.
C. The right to plead not responsible and to be granted either:
   1. An Administrative Hearing before the Director of Student Conduct or designee or
   2. A hearing before the Student Conduct Board composed of students and faculty/staff.
D. The right to bring witnesses and/or an Attorney to either the Administrative or Student Conduct Board Hearing. State University policy permits the presence of counsel for privately advising the student at the hearing. Counsel is not, however, eligible to participate in the hearing, e.g. by presenting the student’s case or cross-examining witnesses.
E. The right to remain silent at an Administrative or Student Conduct Board Hearing. An adverse inference from the accused’s silence is neither required nor prohibited.

F. The right to question any witnesses presented at a hearing and the person making the charge.

G. The right, upon request, of access to all documents, signed statements or printed evidence before the hearing and the right of supervised access to the recorded proceedings of the hearing for a period of 6 months from the date of the hearing.

H. The right to request an appeal of a sanction of relocation, loss of residence license, suspension or dismissal.

V. JUDICIAL SANCTIONS

A. **REPRIMAND** – A written or oral reprimand is an official statement from the Director of Student Conduct or designee to a student that a College regulation has been violated. This reprimand officially advises the student of a violation and warns that further violations may result in a more severe disciplinary action.

B. **REPRIMAND WITH CONDITIONS** – Where appropriate, this level of written reprimand may include any or all of the following conditions:
   1. Educational program or task – Assignment of educational program and/or appropriate task.
   2. Loss of privileges – Removal of privileges or restriction of activities for a designated period of time.
   3. Restitution – Reimbursement by the student to cover the cost of damage or loss or property or services. Reimbursement may be partial or complete depending on circumstances, e.g. number of people involved or degree of responsibility.
   4. Referral – A student may be referred for counseling or other appropriate professional help if it is believed that this can assist in avoiding further violations.

C. **PROBATION** – Loss of good standing as a member of the college community for a specified period. This is an official written notice that advises that the student may risk separation from the college if there are any further violations. Where appropriate, probation may include any or all of the following conditions:
   1. Educational program or task – Assignment of educational program and/or appropriate task during the period of probation.
   2. Loss of privileges – Removal of privileges or restriction of activities for a designated period of time, not to exceed the period or probation.
   3. Relocation – Relocation to another floor or hall.
   4. Loss of residence license – Removal of a student from campus residence. A student removed from campus residence will generally forfeit the privilege of visiting the residence halls. In cases resulting in loss of Residence License, all policies, conditions, refunds, and cancellation charges as outlined in the Housing Manual will apply.
   5. Restitution – Reimbursement by the student to cover the cost of damage or loss of property or services. Reimbursement may be partial or complete depending on circumstances, e.g. number of people involved or degree of responsibility.
   6. Referral – A student may be referred for counseling or other professional help during the period of probation if it is believed that this can assist in avoiding further violations.

D. **PROBATION WITH ACADEMIC CONDITION** – Loss of good standing as a member of the college community for a specified period. This is an official written notice that advises that the student may risk separation from the college if there are any further violations. Where appropriate, this probation may include any or all of the following conditions:
   1. Reduction of a grade in a Course or academic activity in which the incident occurred.
   2. Failure of the Course or academic activity in which the incident occurred.

This sanction can only be applied in cases of Academic Dishonesty.

E. **PROBATION WITH DISMISSAL FROM AN ACADEMIC PROGRAM** – Loss of good standing as a member of the college community for a specified period. This is an official written notice that advises that the student may risk separation from the College if there are any further violations. This sanction can only be applied in cases of Academic Dishonesty.
F. JUDICIAL REGISTRATION RECORD HOLD – If a student fails to complete the conditions of a judicial sanction e.g. College Service Hours, etc., a Judicial Registration Record Hold may be placed on his or her registration account. With this hold in place, the student is prohibited from participating in registration and course adjustment, requesting transcripts, and from receiving a diploma. The Director of Student Conduct will remove the hold after the student has met the conditions of the sanction.

G. SUSPENSION – Temporary separation from the College for a specified period. At the end of the specified period the student may apply for readmission to the college. Special conditions affecting eligibility for readmission or special conditions to be in effect upon readmission may be designated. Restitution, where appropriate, may be required of a suspended student. Suspended students may not visit the campus unless prior permission by the Director of Student Conduct has been granted. Suspended students will not receive academic credit for the semester in which the suspension occurred.

H. DISMISSAL – Permanent separation from the College. Dismissed students are not welcome on the SUNY Plattsburgh campus and may not visit the campus unless prior permission by the Director of Student Conduct has been granted. If found on campus without such permission, the dismissed student will be subject to arrest for Trespass. Dismissed students will not receive academic credit for the semester in which the dismissal occurred.

Students should be aware that while the judicial actions are listed in order of severity they are not necessarily applied in that order. All judicial actions are communicated to the student in writing. A copy of all correspondence is placed in the student’s judicial file. In the event that a student is found responsible a copy of the written notification is sent to appropriate college personnel. If a student is found responsible for violating a college regulation pertaining to violence or non-violent sex offense, the following information will be released upon request: name of student, offense, sanction imposed.

VI. POLICIES PERTAINING TO THE STUDENT CONDUCT SYSTEM

A. A student who withdraws or is granted a leave of absence from the College, during a judicial process, or after being charged with a violation will not be exempt from campus judicial action which shall supersede the Withdrawal or Leave.

B. A student who is charged with a violation and who is a graduating senior will be ineligible to graduate until judicial action on the case has been completed and eligibility to graduate is confirmed. If the judicial action results in suspension, the student will be ineligible to graduate until the term of suspension has been served.

C. A student, who is charged with a violation just prior to the termination of a semester, where there is not sufficient time for the Judicial process to occur, will have their case adjudicated as soon after the semester ends as feasible.

D. All Administrative Hearings and Student Conduct Board Hearings will be recorded. Students charged may request, within 6 months of the date of the hearing, supervised access to the recording. With the exceptions listed in paragraph K, all recordings will be erased at this 6 month point.

E. With the exception noted in paragraph F below, all judicial hearings are closed. A student who is charged may request, in writing, with justification, permission from the Director of Student Conduct for the hearing to be open to a particular person or persons. The sole discretion lies with the Director of Student Conduct or designee to determine whether to grant such permission. If the number of people exceeds space limitations, if circumstances interrupt the hearing, or if a group’s or an individual’s behavior is disorderly, the Director of Student Conduct or designee may require some or all people to leave the hearing.

F. In cases resulting from charges of Section 16, Hazing, Section 20, Sexual Violence, or Section 26, Violent Behavior, including Sexual Assault, the victim is entitled to the same opportunities to have witnesses and/or counsel and/or an advocate either in the administrative or judicial board hearing. A counselor/advocate is not, however, eligible to participate in the hearing, e.g., by presenting the victim’s case or cross examining witnesses.

G. Cameras and other recording devices other than the College recorder are not permitted at a hearing.

H. All forms of judicial hearings will generally take place in Room 608 of the Kehoe Administration Building.
I. In accordance with the Family Educational Rights and Privacy Act of 1974, the College will release information pertaining to individual judicial cases to appropriate college personnel and to the parents of students who are dependents under the age of 21. If a student is under 21 years of age, and is found to be responsible for violating campus drug or alcohol regulations, notification will be sent to his/her parent or guardian regardless of dependent status. A student’s name, offense committed, and the sanction imposed will be released upon request by any individual, if a violation was one of violence or a non-violent sex offense. With those exceptions, and that listed in Section VI, J, information from a student’s judicial file will not be made available to anyone other than the student without the student’s written consent.

J. If a student is found to be responsible for a violation of Section 20, Sexual Violence and/or Section 26, Violent Behavior, including Sexual Assault, the sanction given to that student will be communicated simultaneously, in writing, to the victim and the accused involved.

K. A student’s written judicial record will be maintained for a period of three years from the end of the Academic year in which the violation occurred or when the Director of Student Conduct is officially notified of the student’s graduation, whichever is later. If a student is found to be in violation of a College alcohol and/or drug policy, that student’s judicial record, shall be maintained for a period of seven years from the end of the academic year in which the violation occurred, to meet the requirements of the Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act. If a student is suspended or dismissed from the College as a result of violation of College Policy, that student’s judicial record shall be maintained indefinitely.

L. Students who are suspended or dismissed for serious violation of the Student Code of Conduct, including hazing, will have the following permanent statement placed on their transcript as appropriate: “Disciplinary Suspension” or “Disciplinary Dismissal.”

M. The College President or designee may place a student on interim suspension, including but not limited to, students charged with a felony, students involved in acts of violence, etc., upon making a determination that such action is necessary as the student in question poses a threat to other students, other College Community Members, or themselves, or such action is deemed necessary to maintain safety and order on the campus. A student placed on interim suspension will as soon as possible be afforded an appropriate hearing.

N. A student who serves the public in a field placement and/or serves the public in an on-campus facility who is arrested for a felony and not placed on interim suspension by the President will be considered for immediate suspension from these activities by the Dean and Chairperson of his/her academic program until charges are adjudicated.

O. All students attending SUNY Plattsburgh are responsible for these regulations. This includes students living on and off campus. A student who violates college regulations off campus in a way that could adversely affect the normal educational function of the College or could injure, endanger, or put at risk, the welfare of oneself or others may be subject to college judiciary proceedings.

P. When a student has failed to perform according to an indebtedness contract with the College, the College may invalidate the student’s I.D. card, withhold transcripts or grades, revoke permission to register and/or suspend the student from college.

Q. The Official College Refund Policy applies to students who are relocated. Students who are suspended or dismissed will be liable for all tuition and fees for that semester.

R. Individuals who have been suspended or dismissed and who are found on campus without prior permission as granted by the Director of Student Conduct will be subject to arrest for trespass.

S. For the purposes of this publication, an individual is considered a student if he or she is admitted, enrolled, registered at or residing on the SUNY Plattsburgh campus.

T. When a student is relocated off campus as a result of a judicial violation, that student’s housing license with SUNY Plattsburgh will be considered cancelled by the student and any penalties associated with this cancellation of the contract will be the responsibility of the student.

U. Failure to appear as scheduled at The Review of Judicial Charges and Procedures, or at any subsequent Hearing, Administrative or Student Conduct, without a satisfactory reason for the absence will result in the student being found responsible as the college will proceed in absentia. Sole responsibility of whether a reason is satisfactory or not rests with the Director of Student Conduct.
V. In cases involving Sexual Assault, the Director of Student Conduct will give the victim(s) amnesty for violations of campus drug and alcohol use/possession regulations that may be found upon investigation of the case.

W. In cases involving Sexual Assault, the victim will be afforded reasonable accommodations at any hearings resulting from the case, to ensure their safety and to facilitate their involvement. These accommodations will include, but are not limited to, the alleged perpetrator asking questions through the Hearing Officer and not directly to the victim. Other reasonable accommodations will be offered to the victim by the Student Conduct Office. Additional accommodations and protective measures can be found at the following links:

http://www.plattsburgh.edu/policies/administrative/sexualviolencepolicy.php
http://www.plattsburgh.edu/policies/administrative/intimatepartnerviolencepolicy.php

X. The College will conduct a timely review of all complaints of domestic violence, dating violence, and/or stalking. Absent extenuating circumstances, review and resolution is expected to take place within sixty (60) calendar days from receipt of the complaint.

Y. Officials serving as part of the Student Conduct Process, will receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking, and the procedure to conduct an adjudication process that protects the safety of victims and promotes accountability.

Z. Students, who are arrested for a felony or misdemeanor, after having been admitted to the college, are required to notify the Director of Student Conduct of said arrest within 5 business days of that arrest. Failure to do so will lead to Judicial charges from the College.