

# Know the Code

2018

Syracuse University



## **THE MISSION**

**The mission of the Office of Student Rights and Responsibilities is to administer a conduct process that cultivates the educational development of students by promoting behavior that fosters a safe and civil environment through active community participation.**

## What Is the University Student Conduct System?

The University Student Conduct System (USCS) is the process used by Syracuse University to resolve complaints regarding a student's or recognized student organization's alleged violation of the Code of Student Conduct. Implementation of the USCS is the responsibility of the Office of Student Rights and Responsibilities.

The USCS seeks to educate all members of the University community to achieve the highest standards of ethical conduct, while promoting individual and campus safety.

## What Is the Code of Student Conduct?

The Code of Student Conduct is a statement of behavioral expectations that apply to all Syracuse University students and registered student organizations. The Code of Student Conduct also applies to students of the State University of New York College of Environmental Science and Forestry (SUNY ESF) when alleged behavior is determined to pose a significant threat to the safety and well-being of the Syracuse University community.

The latter portion of this document includes copies of the Code of Student Conduct, the Syracuse University Policy on Sexual Assault, Sexual Harassment, Stalking, or Relationship Violence, and the Syracuse University Anti-Hazing Policy, as well as student conduct statistics from 2017 - 2018 and information on standard sanctions.

## Where Is the Code of Student Conduct Applicable?

Jurisdiction of the USCS extends to alleged misconduct that occurs on University-owned or controlled property or on property close to the University, including Greek chapter houses; alleged misconduct that occurs at any University-sponsored event; and alleged misconduct that has a significant impact on the educational mission and well-being of the University community that takes place at any location off campus.

## Does This Mean the Code of Student Conduct Applies When Students Are Home or Studying Abroad?

Yes. Having voluntarily enrolled at Syracuse University, all students have entered into an agreement to abide by the rules and regulations identified in the Code of Student Conduct. Each student is responsible for conforming their conduct to the requirements of this code and applicable federal, state, and local laws.

## Do I Have a Hearing If I Am Accused Of Violating the Code of Student Conduct?

Whether you have a formal hearing depends on the type of alleged misconduct. If you are referred to the USCS for an alleged violation involving sexual assault, stalking, gender-related harassment, and domestic/relationship violence, your case will be resolved by a formal hearing panel specifically trained to hear cases involving this type of alleged behavior. You will be invited to be a part of the resolution process, which may or may not involve your presence in a formal hearing. For detailed information on the conduct process for such cases, refer to the Student Conduct System Handbook available online at [studentconduct.syr.edu](http://studentconduct.syr.edu).

For all other alleged violations of the Code of Student Conduct, you will be invited to participate in an informal resolution process with a case manager. During the informal process, you and your case manager will discuss the incident and work to come to a resolution for the case. In order for a case to be resolved informally, you and your case manager will need to agree on whether you are responsible for the alleged behavior and, if you both agree, on what the sanction(s) will be. If you and your case manager are unable to come to agreement, your case will move to a formal hearing process. More information on the conduct process, is available in the Student Conduct System Handbook available online at [studentconduct.syr.edu](http://studentconduct.syr.edu).

## **What If I Do Not Attend My Meeting or Hearing?**

It is important to attend your informal resolution meeting or hearing as they are your opportunities to share what happened during an alleged incident from your perspective. If you do not attend your informal resolution meeting or hearing, the process may continue without your participation and a decision may be made in your absence.

## **Is There Someone Who Can Support Me in This Process?**

We appreciate that being accused of violating University policy is stressful and may be scary for some students. You may be advised throughout the student conduct process by a procedural advisor (PA). A PA is a full-time student, faculty, or staff member from Syracuse University or SUNY ESF. In cases where criminal or civil proceedings are also pending, you may be advised by an attorney. In cases involving sexual assault, stalking, gender-related harassment, or domestic/relationship violence, you are permitted to be advised by an advisor of your choice, which includes attorneys or parents.

For all cases, PAs, whether a member of the Syracuse University community (as defined above), attorneys, or parents, if chosen as the advisor for the student, have no standing in University Student Conduct System proceedings. The role of a procedural advisor is to provide advice to their respective party in a quiet, non-disruptive manner. Procedural advisors, including attorneys and parents, do not represent or speak for their respective party. Procedural Advisors may be asked to leave the informal resolution meeting or hearing if they attempt to speak for their party or interrupt/disrupt the proceedings.

Trained procedural advisors can be requested by contacting the Office of Student Assistance at 315.443.4357. Please note that assignment of a procedural advisor from the Office of Student Assistance is based on availability and is not guaranteed. Please review the Student Conduct System Handbook at [studentconduct.syr.edu](http://studentconduct.syr.edu) for more detailed information on the role of attorneys and procedural advisors in the student conduct process.

Additionally, if you believe that you need accommodations for a disability, you should contact the Office of Disability Services (ODS), located in Room 309 of 804 University Avenue, or call 315.443.4498 for an appointment to discuss your needs and the process for requesting accommodations before you go through the student conduct process. ODS is responsible for coordinating disability-related accommodations. Since accommodations may require early planning and are not provided retroactively, please contact ODS as soon as possible.

If you are receiving on-going supportive services from a Syracuse University office, you are welcome to discuss your case with your counselor/advocate prior to attending your initial meeting with OSRR. You may ask your counselor/advocate to serve as your procedural advisor, but please understand that counselors from the University's Counseling Center may not be able to serve in this capacity.

## Is the University Student Conduct System Punitive?

The University views its student conduct process as a learning experience intended to help students in their growth and understanding of individual responsibilities. Sanctions issued for violations of the Code of Student Conduct will be designed to address the safety and security of persons and property and to educate students in regards to higher standards of behavior.

## What Are the Sanctions for Misconduct?

The primary goal of the USCS is to educate students and registered student organizations on ways they can raise their standards of behavior. Students and registered student organizations responsible for violating the Code of Student Conduct will receive both a University status sanction as well as one or more educational/developmental sanctions.

University status sanctions provide notice to students on how their behavior impacts their continuation at the University. Status sanctions are designed to provide opportunities for students to reflect on their decision-making in order to make more informed decisions.

Examples of University status sanctions include the following:

- **Warning** In instances of less serious deviations from the University standards of conduct, the student(s) may be formally warned of the possible consequences of continuing such behavior.
- **Disciplinary Reprimand** This action is a formal admonition on behalf of the University community and is intended to clearly document in a student's or registered student organization's disciplinary file that the behavior has been deemed inappropriate.
- **Disciplinary Probation** This action signifies a change between good standing and suspension or expulsion from the University. A student or registered student organization is permitted to remain enrolled at or retain recognition by the University under stated conditions. Further violations may result in suspension or expulsion from the University.
- **Social Probation** This status's primary effect is to suspend a privilege related to the nature of the violation and/or restrict access to specific campus facilities or programs. Any violations of social probation may result in your indefinite suspension from Syracuse University.
- **Interim Suspension** This status is the temporary suspension of certain rights or privileges while a conduct case is pending, may be broad and inclusive or may be restricted to a specific location and/or function. It is based on the determination that the safety and well-being of the University community or specific persons are at risk.
- **Indefinite Suspension** This action results in the involuntary withdrawal of the student from the University, or in loss of University recognition for a registered student organization, for a specific or indefinite period of time, or until specific conditions have been met.
- **Expulsion** This action results in the permanent separation of the student, or registered student organization, from the University, its programs, and facilities.

For students living in campus housing, residential status sanctions may also be applied. These include the following:

- **Residential Warning** In instances of less serious deviations from the Office of Residence Life's Residential Policies, the student(s) may be formally warned of the possible consequences of continuing such behavior.
- **Residential Reprimand** This action is a formal admonition on behalf of the Office of Residence Life community and is intended to clearly document in a student's disciplinary file that the behavior has been deemed inappropriate.
- **Residential Probation** This action signifies that a student is no longer in good standing with the University's residential living program and could be forced to relocate if another violation occurs.
- **Residential Relocation** This sanction indicates that the student has been reassigned to a new on-campus housing assignment, either permanently or for a specified period of time, and usually prohibits the student from returning to the former housing assignment.
- **Residential Suspension** The action indicates that the student has been temporarily removed from University housing for a specified period of time or until the completion of specific conditions. A residential suspension involves the student's removal from housing altogether; however, a student may reapply for housing at a later date. Access to residential facilities is usually prohibited during the residential suspension.
- **Residential Expulsion** This action results in the permanent separation of the student from University housing. A residential expulsion involves the student's removal from housing altogether. Access to residential facilities is prohibited.

Educational/developmental sanctions are designed to provide students with opportunities to contemplate their behavior and identify ways they can be successful at the University. Some examples of educational sanctions include the following:

- **Character Strengths Workshop** This workshop provides students with the tools necessary to be resilient and use their strengths to grow as a positive member of the Syracuse University community. Students are provided time to reflect their behavior and learn how to use their strengths when making decisions.
- **Civility @ Syracuse University** This workshop is designed to engage students in various activities that will help them analyze the civility on the University campus and how they can become a better member of the community.
- **Community Involvement Assignments (CIA)** This program is designed to provide students with opportunities to make constructive contributions to the campus community. Students typically attend a specific number of events on campus and write a reflection paper on their learning.

- **Community Service** This sanction is designed to have students give back to the community in some way as a result of misconduct that negatively impacted the University or greater Syracuse community.
- **Options Education Group** This workshop, facilitated by the Options Program staff, focuses on the impact of alcohol and drug use on physiology and the impact on emotional regulation and decision making. The group also discusses harm reduction and how to identify steps for minimizing the negative consequences of alcohol and drug use.
- **Reflection Papers** This sanction is customized by the student's case manager to assist them in identifying ways they can be successful at Syracuse University. Such papers may require students to reflect on how they could have made different choices, discuss goals they have while attending the institution, and what they will do if they violate another policy that results in a change in their status as a student.
- **Research Papers** At times, students may be asked to complete a research paper related to their misconduct that assists them in learning more about the specific topic.

## How Do I Know What My Sanctions Will Be?

For some specific types of misconduct, the University has adopted standard sanctions to respond to specific violations of the Code of Student Conduct that have the potential to lead to significant consequences for students, members of the University community, and the broader society in which we all live. Standard sanctions only apply to those offenses as described in the standard sanctions table. Other types of incidents are handled on a case by case basis.

Standard sanctions do not apply when:

- a student engages in multiple violations during a single incident;
- a student is already on a disciplinary status equal to or greater than the standard sanction for a previous offense; and/or
- where a specific incident presents exacerbating circumstances, an ongoing risk to persons or property, or other serious concerns.

Generally, such incidents as described above will result in sanctions in excess of the standard sanction.

## Do I Really Need to Complete My Sanctions?

Sanctions are designed to help you learn and grow from your experience. Failure to complete a sanction(s) may result in additional conduct charges being filed against you and/or a student conduct hold being placed on your account. Such a hold will restrict your ability to register for classes, request a transcript, or have a degree certified.

## Where Do I Turn in My Sanctions?

Many times, you will be able to upload your sanctions to our office by visiting our website, [studentconduct.syr.edu](http://studentconduct.syr.edu), and selecting "Forms." From there, you will be able to navigate to the "Submit Information" page where you can select the appropriate form.

## **Will I Still Be Able to Participate in Campus Activities If I Am On A Disciplinary Status?**

Your ability to participate in campus programs and activities depends on your disciplinary status. You are in good conduct status if you have been issued a warning or placed on disciplinary reprimand. If you are placed on disciplinary probation, you are no longer in good conduct standing. Some restrictions on your ability to participate begin at this level. For example, according to Syracuse University Abroad, students on disciplinary probation may not study abroad. Likewise, the Office of Fraternity and Sorority Affairs restricts students on disciplinary probation from participating in the rush process. If you are applying to a campus organization or experience and the requirement is that you are in good conduct standing, you would not be able to participate if you are on disciplinary probation. In addition, there are other situations in which your participation may be prohibited or restricted. These include being on a lower status, such as disciplinary reprimand, but having incomplete sanctions as well as having an open, unresolved case in the Office of Student Rights and Responsibilities.

## **Will My Parents/Guardian Be Notified?**

The University values parents/guardians as partners in helping you improve your decision making and raising your standards of behavior. As such, the University will inform the parents/guardians of dependent students in the following situations:

- an emergency;
- after final adjudication and finding of responsibility in all alcohol and drug-related offenses; and,
- after final adjudication and finding of responsibility in all offenses resulting in disciplinary probation, disciplinary suspension, or University expulsion.

Parents/guardians will not be notified when the student is any of the following:

- is or will be 24 years old during the academic year;
- is enrolled in a graduate or professional program;
- is married;
- is a veteran of the U.S. Armed Forces; or,
- is an international student.

## **May I Appeal If I Do Not Like The Outcome?**

If you resolved your case through an informal resolution, your outcome letter will indicate that you have three business days to request that the director of the Office of Student Rights and Responsibilities review your case. If your case was resolved through a formal hearing process, you may appeal the decision levied by the University Conduct Board. Both the request to have your case reviewed and the formal appeals process are described in detail in your outcome letter as well as in the Student Conduct System Handbook, available online at [studentconduct.syr.edu](http://studentconduct.syr.edu).

## **What Happens If I Am Suspended? May I Come Back to Syracuse University?**

It is important to remember the being suspended from the University is educational. While it may not feel like it at the time, a suspension is designed to remove you from an environment in which you have made serious or repeated poor decisions that have negatively impacted you and/or the community. The time away from Syracuse is an opportunity to reflect on the choices you made, learn new skills that will help you to succeed upon your return, and provide time for you to practice those skills outside of the university environment.

If you are suspended on an indefinite basis from the University, you will have the ability to petition the University after a specified period of time to request a return to the University. The conditions of your indefinite suspension and the requirements of this Good Citizenship Petition are found in your suspension letter. Typically, in order to petition to return to the University, suspended students must complete the time period of their suspension, write an essay, complete community service, provide proof of employment and/or an academic transcript during their time away from the University, and provide letters of reference that attest to your ability and readiness to return to college life. Depending upon the circumstances involved in the incident(s) leading to suspension, additional requirements may be added as a condition of your petition to return. Once your petition is reviewed, you will be provided notice on the conditions of their return.

## **Will My Conduct Violations Appear on My Transcript?**

Student discipline files are separate from a student's academic transcript. However, under specific circumstances, specific transcript notations will be made. Students found to be responsible for non-violence related violations who are suspended or expelled will have the notation "Administrative Withdrawal - University Initiated" noted on their transcript. Students found to be responsible for violence-related violations as defined by the Clery Act (murder; sex offenses [forcible or non-forcible]; robbery, aggravated assault; burglary; motor vehicle theft; manslaughter; and arson) who are suspended or expelled will have their University transcripts issued with the following notations:

- In cases of suspension—"Suspended after a finding of responsibility for a code of conduct violation."
- In cases of expulsion—"Expelled after a finding of responsibility for a code of conduct violation."
- If a student who has alleged to have been involved in an incident involving violence-related violations withdraws from the University with an investigation or conduct case pending—"Withdrew with conduct charges pending."

Students who have the suspension notation on their transcript for a violence-related violation may appeal to have the notation removed no sooner than one year after the conclusion of the suspension process. Notations for expulsion for a violence-related violation will not be removed. Refer to the Student Conduct System Handbook, available online at [studentconduct.syr.edu](http://studentconduct.syr.edu), for details on the transcript notation appeal process.

## How Long Will My Records Be Kept?

Disciplinary records are retained for seven (7) years from the date of the most recent incident in the student's conduct file or until one (1) year after the student has graduated from the University, whichever is longer. Records of students who were suspended, expelled, prohibited from future enrollment or otherwise withdrawn for disciplinary reasons are retained indefinitely. The USCS records retention policy is important because students may be asked by graduate schools, law schools, and future employers to provide access to their disciplinary history as a condition for enrollment or employment.

## FOR PARENTS/GUARDIANS

The University values your role as a partner in helping your student make choices that improve their ethical decision making. There are several things you can do to help your student before they arrive on campus. These include the following:

- Have an open discussion with your student about making good decisions, taking responsibility for their actions, and responding to peer pressure.
- Make sure your student knows clearly what you expect and what you value.
- Remember that your student will look to you as a role model for dealing with and responding to conflict.
- Be open to discussing difficult topics, such as use and abuse of alcohol and drugs, intimate relationships, and resolving conflicts.
- If you choose to discuss your own college experiences with your student, please keep in mind that he or she will look to your behavior as a guide for their own.

Remember that your student will be working to develop as an individual. Some of their choices may not be the decisions you would have made in college or would make now. Be open to talking with them about how they made their decisions.

## **What Can I Do If My Student Is Accused of Violating University Policy?**

- Speak with your student regarding the situation. Make sure that you listen carefully and critically.
- Make sure your student knows the student conduct process. Your student should review the Code of Student Conduct, Standard Sanctions, and the Student Conduct System Handbook at [studentconduct.syr.edu](http://studentconduct.syr.edu).
- Discuss with your student your expectations for their behavior at Syracuse University. Discuss ways your student can modify their behavior to meet those expectations.
- Brainstorm with your student appropriate resources for help and support (e.g., alcohol education, personal counseling, etc.).
- Let your student know where you stand regarding their behavior, while continuing to support him or her emotionally.
- Brainstorm with your student ways to overcome past mistakes.
- Be firm in your approach but always keep the lines of communication open.

## **May An Attorney or Parent/Guardian Represent A Student In Conduct Proceedings?**

Students may be advised throughout the student conduct process by a procedural advisor who is a full-time member of the Syracuse University community. This includes full-time students, faculty, or staff of Syracuse University. In cases where criminal or civil proceedings are also pending, students may be advised by an attorney. In cases involving sexual assault, stalking, gender-related harassment, or domestic/relationship violence, students are permitted to be advised by an advisor of their choice, which includes attorneys or parents.

For all cases, procedural advisors, whether a member of the Syracuse University community (as defined above), attorneys, or parents, if chosen as the advisor for the student, have no standing in University Student Conduct System proceedings. The role of a procedural advisor is to provide advice to their respective party in a quiet, non-disruptive manner. Procedural advisors, including attorneys and parents, do not represent or speak for their respective party.

Trained procedural advisors can be requested by contacting the Office of Student Assistance at 315.443.4357. Please review the *Student Conduct System Handbook* at [studentconduct.syr.edu](http://studentconduct.syr.edu) for more detailed information on the role of attorneys and procedural advisors in the student conduct process.

More information is also available in the student portion of this guide under “Is There Someone Who Can Support Me in This Process?”

## May I Call the University to Learn of My Student's Conduct Cases?

Information on when the Office of Student Rights and Responsibilities will inform parents/guardians of a conduct case is detailed under "Will My Parents/Guardian Be Notified?" in the student portion of this publication.

## Syracuse University Statement of Student Rights and Responsibilities

Syracuse University is an academic community and all persons—students, faculty, administrators, and staff—share responsibilities for its growth and continued welfare. As members of the University community, students can reasonably expect that the following rights will be respected by all University offices, programs, employees, and organizations.

Syracuse University further encourages all members of the University community to endorse, support, and abide by the following statement of values, which this community has deemed fundamental to its mission and integral to its growth.

### 1. SPEECH/EXPRESSION/PRESS

Students have the right to express themselves freely on any subject provided they do so in a manner that does not violate the Code of Student Conduct. Students in turn have the responsibility to respect the right of all members of the University to exercise these freedoms.

### 2. NON-DISCRIMINATION

Students have the right not to be discriminated against by any agent or organization of Syracuse University for reasons of age, creed, ethnic or national origin, gender, disability, marital status, race, color, veteran status, military status, religion, sexual orientation, domestic violence status, genetic information, gender identity and gender expression, perceived gender or any other protected class as described by law. In their individual roles as members of student organizations, students have the responsibility not to discriminate against others.

### 3. ASSEMBLY/PROTEST

Students have the right to assemble in an orderly manner and engage in peaceful protest, demonstration, and picketing, which does not disrupt the functions of the University, threaten the health or safety of any person, or violate the Code of Student Conduct.

### 4. RELIGION/ASSOCIATION

Students have the right to exercise their religious convictions and associate with religious or other organizations of their choice in University facilities provided they do so in a manner that respects the rights of other members of the community and complies with the Code of Student Conduct. Students have the responsibility to respect the rights of other members of their University community to free exercise of their religious convictions and to free association with organizations of their choice.

5. PRIVACY/SEARCH/SEIZURE

Students have the right of privacy and to be free from unreasonable searches or unlawful arrest on University property and within their campus residences. Students have the responsibility to respect the privacy of other members of the University community in their person and in their place of residence.

6. ACADEMIC PURSUITS

Students have the right to accurate and plainly stated information relating to maintenance of acceptable academic standing, graduation requirements, and individual course objectives and requirements. Students can expect instruction from designated instructors at appointed class times and reasonable access to those instructors. Students have the responsibility to attend class and know their appropriate class requirements.

7. QUALITY ENVIRONMENT

Students have the right to expect a reasonably safe environment supportive of the University's mission and their own educational goals. Students have the responsibility to protect and maintain that environment and to protect themselves from all hazards to the extent that reasonable behavior and precaution can avoid risk.

8. GOVERNANCE/PARTICIPATION

Students have the right to establish representative governmental bodies and to participate in University governance in accordance with the rules and regulations of the University. Students who accept representative roles in the governance of the University have the obligation to participate responsibly.

9. FUNDAMENTAL FAIRNESS

Students have the right to written notice and the opportunity for a hearing before any change in status is incurred for disciplinary reasons unless a significant threat to persons or property exists. Students have the right to fundamental fairness before formal disciplinary sanctions are imposed by the University for violations of the Code of Student Conduct—as provided in the published procedures of the University's Student Conduct System or other official University publications.

10. CONFIDENTIALITY

Students have the right to access and control access to their educational records as provided in the federal Family Educational Rights and Privacy Act, also known as the Buckley Amendment. These include the rights to review and challenge the content of educational records, to control disclosure of personal and academic information to third parties, and to limit the routine disclosure of all or some information defined as "directory information" by the Act.<sup>1</sup>

<sup>1</sup>The above statement is also true for international students and scholars, except where specified by the legislation, rules and regulations governing the particular visa status.

## Code of Student Conduct

Students at Syracuse University are expected to conduct themselves in a manner supportive of the educational mission of the institution. Integrity, respect for the person and property of others, and a commitment to intellectual and personal growth in a diverse population are values deemed fundamental to membership in this University community. Syracuse University considers the following behavior, or attempts thereof, by any student or student organization, whether acting alone or with any other persons, to violate the Code of Student Conduct:

1. Physical harm or threat of physical harm to any person or persons, including, but not limited to: assault, sexual abuse, or other forms of physical abuse.
2. Harassment—whether physical, verbal or electronic, oral, written or video—which is beyond the bounds of protected free speech, directed at a specific individual(s), easily construed as “fighting words,” or likely to cause an immediate breach of the peace.
3. Conduct—whether physical, verbal or electronic, oral, written or video—which threatens the mental health, physical health, or safety of any person or persons including, but not limited to, hazing, drug or alcohol abuse, bullying, or other forms of destructive behavior.
4. Academic dishonesty,<sup>2</sup> including, but not limited to, plagiarism and cheating, and other forms of academic misconduct, for example, misuse of academic resources or facilities, and misuse of computer software, data, equipment, or networks.
5. Intentional disruption or obstruction of lawful activities of the University or its members, including their exercise of the right to assemble and to peaceful protest.
6. Theft of or damage to University, personal, public, or private property/services or illegal possession or use of the same.
7. Forgery, alteration, or fabrication of identification cards, records, grades, diplomas, or University documents; possession of falsified identification cards; or misrepresentation of any kind to a University office, University official, or law enforcement.
8. Unauthorized entry, use, or occupation of University facilities that are locked, closed, or otherwise restricted as to use.
9. Disorderly conduct, including, but not limited to, public intoxication, lewd, indecent or obscene behavior, libel, slander, or illegal gambling.
10. Illegal use, possession, purchase, distribution, manufacture or sale of alcohol, drugs or controlled substances, or any other violation of the Syracuse University Policy on Alcohol, Other Drugs, and Tobacco.
11. Failure to comply with the lawful directives of University officials who are performing the duties of their office, especially as they are related to the maintenance of safety or security.

<sup>2</sup>Cases involving academic dishonesty are handled by the Center for Learning and Student Success.

12. Unauthorized possession or use of any weapon, including: firearms, BB guns, airsoft guns, air rifles, explosive devices, fireworks, or any other dangerous, illegal, or hazardous object or material, and improper use as a weapon of any otherwise permitted object or material.
13. Interference with or misuse of fire alarms, blue lights, elevators, or other safety and security equipment or programs.
14. Violation of any federal, state, or local law which has a negative impact on the well-being of Syracuse University or its individual members.
15. Violation of University policies, rules, or regulations that are published in the Student Handbook or other official University publications or agreements.

Culpability is not diminished for acts in violation of this code that are committed in ignorance of the code or under the influence of alcohol, illegal drugs, or improper use of controlled substances.

**Other policies of the University may be found on the Syracuse University website and in other University publications.**

## Code of Student Conduct Charges 2017 - 2018

**The following is a summary of Code of Student Conduct charges filed for the academic year 2017-2018:**

Code 1: Physical Harm	99	Code 9: Disorderly Conduct	661
Code 2: Harassment	104	Code 10: Alcohol/Drugs	1,395
Code 3: Threatening Conduct	1,129	Code 11: Failure to Comply	99
Code 4: Computer Tampering	0	Code 12: Weapons	17
Code 5: Protest/Disruption	5	Code 13: Fire/Fire Safety/Safety & Security	255
Code 6: Theft/Damage	111	Code 14: Federal/State/Local Law	65
Code 7: Forgery/Misrepresentation	116	Code 15: University Policies	1801
Code 8: Unauthorized Entry	31		

**The following are numbers for each sanction applied to violations of the Code of Student Conduct during the 2017 - 2018 academic year:**

Expulsion	3	Civility Workshop	29
Indefinite Suspension	60	Paper/Letter	808
Interim Suspension	6	Community Involvement Assignment	196
Disciplinary Probation	350	Community Service	117
Disciplinary Reprimand	846	Options Education Group	270
Warning	38	Decision Making Assignment	81
Restitution	21	Decision Making Workshop	301
Options	170	Character Strengths Workshop	42

## Policy on Sexual Assault, Sexual Harassment, Stalking, or Relationship Violence

Syracuse University is committed to the maintenance of an environment that is supportive of its primary educational mission and free from all exploitation and intimidation. The University does not tolerate rape, sexual assault, domestic or dating violence, stalking, sexual coercion and non-contact sexual abuse such as voyeurism, and sexual exploitation or other forms of sexual violence or non-consensual sexual activity. All students must comply with the University's Sexual Harassment, Abuse, and Assault Prevention Policy.

The University's Sexual Harassment, Abuse, and Assault Prevention Policy prohibit sexual harassment, sexual assault, and other forms of sexual and relationship violence and discrimination. The following definitions apply:

1. Harassment—intentional, unwanted and unwelcome words or conduct directed at a specific person that alarms, threatens or causes fear for that person. Sexual harassment is a form of sexual discrimination. It is unwelcome behavior of a sexual nature that relates to the gender, sex or sexual identity of an individual. It has the purpose or effect of creating an intimidating or hostile environment. Sexual harassment includes a full range of coercive and unwelcome behaviors, such as unwelcome sexual advances, request for sexual favors, and other verbal, visual or physical conduct of a sexual nature, including rape and other forms of sexual assault, sexual coercion and non-contact sexual abuse such as voyeurism and sexual exploitation.
2. Sexual assault—any actual or attempted nonconsensual sexual activity including, but not limited to: sexual intercourse, or sexual touching, committed with coercion, threat, or intimidation (actual or implied) with or without physical force; exhibitionism or sexual language of a threatening nature by a person(s) known or unknown to the reporting individual. Forcible touching, a form of sexual assault, which is defined as intentionally, and for no legitimate purpose, forcibly touching the sexual or other intimate parts of another person for the purpose of degrading or abusing such person or for gratifying sexual desires.

Rape—sexual intercourse without consent, committed with coercion, threat, or intimidation (actual or implied), with or without physical force by a person(s) known or unknown to the reporting individual. Sexual intercourse can involve anal, oral, or vaginal penetration, no matter how slight.

Intoxication of the respondent cannot be used as a defense to an alleged incident involving sexual assault.

3. Stalking—intentionally, and for no legitimate purpose, engaging in a course of conduct directed at a person knowing (or should reasonably know) that such conduct is likely to cause reasonable fear of material harm or does cause substantial harm to the other person or that person’s family or another party of their acquaintance. This includes cyber stalking—using technology to stalk another person.
4. Dating violence and domestic violence—patterns of behavior in which an individual uses physical violence, coercion, threats, intimidation, isolation or other forms of emotional, sexual, verbal and/or economic abuse to control their current or former intimate partner.

## **The Syracuse University Definition of Consent**

Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.

Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent may be initially given but withdrawn at any time. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntary restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. When consent is withdrawn or can no longer be given, sexual activity must stop.

## **Amnesty for Reporting Individuals**

The health and safety of every student at Syracuse University is of utmost importance. Syracuse University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence—including, but not limited to, domestic violence, dating violence, stalking, or sexual assault—occurs may be hesitant to report such incidents due to fear of potential consequences of their own conduct. Syracuse University strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to Syracuse University’s officials or law enforcement will not be subject to Syracuse University’s Code of Student Conduct for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

## Bill of Rights

All students have the right to:

1. Make a report to local law enforcement and/or state police.
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously.
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution.
4. Participate in a process that is fair and impartial, and provides adequate notice and meaningful opportunity to be heard.
5. Be treated with dignity and receive from the institution courteous, fair, and respectful health care and counseling services where available.
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations.
7. Describe the incident to as few institutional representatives as practicable and not be required to unnecessarily repeat a description of the incident.
8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family, and acquaintances within the jurisdiction of the institution.
9. Access to at least one level of appeal of a determination.
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process, including during all meetings and hearings related to such process.
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.

If a Student Experiences Sexual or Relationship Violence:

The Sexual and Relationship Violence Response Team at the Counseling Center, 315.443.4715, 200 Walnut Place, provides privileged and confidential support, advocacy, and counseling for survivors of sexual assault and can be accessed 24 hours a day, seven days a week.

Should a student impacted by sexual assault, relationship violence, sexual harassment, or stalking choose to file a formal complaint, the following resources are available for reporting:

- Department of Public Safety, 005 Sims Hall, 315.443.2224
- Title IX Coordinator, 005 Steele Hall, 315.443.0211
- Syracuse Police Department, 511 South State Street, 315.435.3016
- New York State Police, 24-Hour dedicated hotline, 1.844.845.7269
- Anonymous reporting is available: “TIPS” at 315.443.TIPS (8477) or online: [dps.syr.edu](http://dps.syr.edu).

## Anti-Hazing Policy

Syracuse University is dedicated to promoting a safe and healthy campus environment for its students, faculty, staff, and visitors. In addition, Syracuse University is committed to promoting an environment that fosters respect for the dignity and rights of all its community members. As such, the University will not tolerate hazing activities by any individuals, groups, teams, or recognized student organizations. For more information regarding Syracuse University's Statement of Student Rights and Responsibilities call the Office of Student Rights and Responsibilities at 315.443.3728 or the Office of the Senior Vice President for Enrollment and the Student Experience at 315.443.4357 for more information.

**Enforcement:** Syracuse University will enforce this policy through internal disciplinary procedures, the external prosecution of alleged offenders, or both. Individuals who participate in acts of hazing will be held accountable under this policy and the Code of Student Conduct. For more information regarding the Code of Student Conduct, call the Office of Student Rights and Responsibilities at 315.443.3728.

Definitions (as of May 21, 2002): Hazing is punishable under New York State Law as follows:

1. New York Penal Law 120.16; Hazing in the First Degree: A person is guilty of hazing in the first degree when, in the course of another person's initiation into or affiliation with any organization, he intentionally or recklessly engages in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes injury. Hazing in the First Degree is a class A misdemeanor.
2. New York Penal Law 120.17; Hazing in the Second Degree: A person is guilty of hazing in the second degree when, in the course of another person's initiation or affiliation with any organization, he intentionally or recklessly engages in conduct, which creates a substantial risk of physical injury to such other person or a third person. Hazing in the second degree is a violation.

In addition, Syracuse University defines hazing to include any action that intentionally or recklessly causes or poses a substantial risk of harm to the mental or physical health or safety of one or more persons. Subjecting any person to and/or encouraging any person to commit an act that violates human dignity, the Code of Student Conduct, or the law for the purpose of initiating, promoting, fostering, or confirming any form of affiliation with a group or organization is prohibited. The express or implied consent of participants or victims will not be a defense.

**Examples:** Examples of hazing include, but are not limited to, forced consumption of alcohol or other substances, sleep deprivation, threats of harm, actual physical harm (e.g., paddling, beating, branding), and performing any service or action under coercion or duress.

**Sanctions:** Hazing poses substantial risks to the safety and well-being of individual students and the University community. As such, violations of this policy will result in referral to the Office of Student Rights and Responsibilities. Possible disciplinary action that may include, but is not limited to, any or all of the following: suspension or expulsion from the University, loss of University recognition and privileges, referral to law enforcement, participation in educational programs, and other educational or remedial action appropriate to the circumstances. Sanctions imposed under this policy do not diminish or replace the penalties available under generally applicable federal, state, and local laws.

**Reporting:** To make a report of hazing, or to determine whether a proposed activity constitutes or will constitute hazing, contact the Department of Public Safety at 315.443.2224, the Office of Fraternity and Sorority Affairs at 315.443.2718, the Office of Student Rights and Responsibilities at 315.443.3728, or the Office of the Senior Vice President for Enrollment and the Student Experience at 315.443.4357. Anonymous reports also can be made to the Department of Public Safety through the Silent Witness Program by calling 315.443.TIPS (8477).

## **Syracuse University Non-Discrimination And Equal Opportunity Policy Statement**

The University does not discriminate and prohibits harassment or discrimination related to any protected category including creed, ethnicity, citizenship, sexual orientation, national origin, sex, gender, pregnancy, disability, marital status, age, race, color, veteran status, military status, religion, sexual orientation, domestic violence status, genetic information, gender identity, gender expression or perceived gender<sup>3</sup>.

Any complaint of discrimination or harassment related to any of these protected bases should be reported to Sheila Johnson-Willis, Associate Vice President, Chief Equal Opportunity & Title IX Officer. She is responsible for coordinating compliance efforts under the various laws including Titles VI, VII, IX and Section 504 of the Rehabilitation Act. She can be contacted at Equal Opportunity, Inclusion, and Resolution Services, 005 Steele Hall, Syracuse University, Syracuse, NY 13244-1120; by email at [sjohnson@syr.edu](mailto:sjohnson@syr.edu); or by telephone at 315.443.1520. Questions or concerns may be directed externally to Office for Civil Rights (OCR), U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202 1100; Customer Service Hotline #800-421-3481; Facsimile: #202-453-6012; TDD #877-521-2172; [www.ocr.gov](http://www.ocr.gov).

<sup>3</sup> Title IX prohibits harassment or discrimination based on sex, gender, sexual orientation, gender expression, or gender identity. Titles VI and VII prohibit harassment or discrimination based on race, national origin, or color. Sections 503 and 504 of the federal Rehabilitation Act and the Americans with Disabilities Act prohibit discrimination or harassment because of disability. In addition, New York law prohibits discrimination or harassment based on these and other protected categories.

## **Where Can I Learn More About the Student Conduct System and Related Policies?**

The complete student conduct process is available online in the Student Conduct System Handbook at [studentconduct.syr.edu](http://studentconduct.syr.edu).

Learn more about policies related to sexual misconduct and gender-related harassment by reviewing the Sexual and Relationship Violence Resource Guide for Syracuse University Students available online at [titleixresources.syr.edu](http://titleixresources.syr.edu).

To review the Sexual Harassment, Abuse, and Assault Prevention Policy, please visit [policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/sexual-harassment-abuse-and-assault-prevention/](http://policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/sexual-harassment-abuse-and-assault-prevention/).

For the most current policies and for additional information, please see the Student Conduct System Handbook at [studentconduct.syr.edu](http://studentconduct.syr.edu).

### **Questions**

If you have any questions, contact the Office of Student Rights and Responsibilities at 315.443.3728.

## TABLE OF STANDARD SANCTIONS

CATEGORY	FIRST VIOLATION	SECOND VIOLATION	THIRD VIOLATION
Use or possession of alcohol under prohibited circumstances	Disciplinary Reprimand and educational activities including: Community Involvement referral and/or educational projects	Disciplinary Probation and educational activities including: Options Program referral Community Involvement referral and/or other educational projects	Indefinite Suspension for a minimum of one academic year
Supplying alcohol to underage person(s)	Disciplinary Probation Community Involvement referral or community service projects(s) and/or educational project(s)	Indefinite Suspension for a minimum of one academic year	Not applicable*
Extreme alcohol intoxication posing a substantial risk to the health and well-being of self and/or others	Disciplinary Reprimand and educational activities including: Options Program referral and Appropriate educational assignments	Disciplinary Probation and educational activities including: Options Program referral and Community Involvement referral and/or other educational project(s) As circumstances warrant, residential relocation (at the discretion of the case manager or hearing Board)	Indefinite Suspension for a minimum of one academic year
Manufacture or sale of alcohol under prohibited circumstances	Disciplinary Probation and educational activities including: Community Involvement referral or Community Service project(s) and/or educational project(s)	Indefinite Suspension for a minimum of one academic year	Not applicable*
Driving any motor vehicle while intoxicated or while under the influence of unlawful drugs	Indefinite Suspension for a minimum of one academic term	Expulsion or Indefinite Suspension for a minimum of one academic year	Not applicable*

CATEGORY	FIRST VIOLATION	SECOND VIOLATION	THIRD VIOLATION
Use or possession of drug paraphernalia, marijuana, illegal drugs, or controlled substances without an appropriate prescription	Disciplinary Probation and educational activities including: Options Program referral and/or Community Involvement; Community Service referral, and/or other educational project(s)	Indefinite Suspension for a minimum of one academic year	Not applicable*
Extreme drug intoxication or abuse-related behavior posing a substantial risk to the health and well-being of self and/or others	Disciplinary Probation and educational activities including: Options Program referral and/or Community Involvement referral and/or other educational project(s)  As circumstances warrant, residential relocation (at the discretion of the case manager or hearing Board)	Indefinite Suspension for a minimum of one academic year	Not applicable*
Manufacture, sale, purchase, or distribution of illegal drugs or controlled substances	Expulsion or Indefinite Suspension for a minimum of one academic year	Not applicable*	Not applicable*
Possession of prohibited weapons or other dangerous objects, including, but not limited to, firearms, BB guns, airsoft guns, air rifles, slingshots, explosive devices, fireworks, or any other dangerous, unlawful or hazardous object or material	Disciplinary Probation, Indefinite Suspension, or Expulsion as determined by the case manager or hearing Board; Expulsion from student housing  Minimum of 80 hours of Community Service and/or other educational sanctions as deemed appropriate by the case manager or hearing Board	Not applicable*	Not applicable*
Any improper use, attempted use, or threat of use of a weapon or other dangerous illegal or hazardous object; any improper use as a weapon of any otherwise permitted object or material	Expulsion or Indefinite Suspension for a minimum of one academic year	Not applicable*	Not applicable*

CATEGORY	FIRST VIOLATION	SECOND VIOLATION	THIRD VIOLATION
Physical harm or threat of physical harm without a weapon resulting in little or no physical injury to involved persons	Disciplinary Probation or Indefinite Suspension as determined by the case manager or hearing Board  Participation in the Conflict Resolution Program, and the Options Program referral, if alcohol or other drugs were a factor in the incident  Minimum of 80 hours of Community Service and/or other educational sanctions as deemed appropriate by the case manager or hearing Board	Not applicable*	Not applicable*
Physical harm without a weapon resulting in significant physical injury to another person	Expulsion or Indefinite Suspension for a minimum or one academic year	Not applicable*	Not applicable*
Tampering with smoke detectors in campus residential facilities	Disciplinary Reprimand, educational projects and residential probation	Not applicable*	Not applicable*
Interference with, improper activation of, or damage to any elevator or safety or emergency equipment, including, but not limited to, fire alarms, fire extinguishers, sprinkler systems and blue lights; lighting any unauthorized fire on University property	Indefinite Suspension for a minimum of one academic semester  or  Disciplinary Probation with appropriate educational sanctions	Not applicable*	Not applicable*
Sexual harassment, including unwanted sexual advances, requests for sexual favors and some visual and physical conduct of a sexual nature; Stalking	Indefinite Suspension for a minimum of one academic year (as circumstances warrant) or until the survivor graduates, whichever is longer (as appropriate)  or  Disciplinary Probation with appropriate educational projects	Not applicable*	Not applicable*

CATEGORY	FIRST VIOLATION	SECOND VIOLATION	THIRD VIOLATION
Sexual assault, including, but not limited to, sexual touching without consent, forcible touching; stalking with threats of harm; use of physical violence in a dating or sexual relationship	Expulsion (as circumstances warrant) or Indefinite Suspension for a minimum of one academic year (as circumstances warrant) or until the impacted person graduates, whichever is longer (as appropriate)	Not applicable*	Not applicable*
Sexual intercourse without consent	Expulsion (as circumstances warrant) or Indefinite Suspension for a minimum of once academic year (as circumstances warrant) or until the impacted person graduates, whichever is longer (as appropriate)	Not applicable*	Not applicable*
Retaliation against an individual who has filed a report of gender-related violence/harassment	Expulsion (as circumstances warrant) or Indefinite Suspension for a minimum of one academic year (as circumstances warrant) or until the impacted person graduates, whichever is longer (as appropriate) or Disciplinary Probation with appropriate educational projects	Not applicable*	Not applicable*

\*In these circumstances, sanctions are determined on a case-specific basis by the case manager, administrative hearing officer, or appropriate adjudicative body.





# Syracuse University

## Student Rights and Responsibilities

131 Crouse Drive  
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315.443.3728  
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