

Policies and Procedures

■ University Policies and Procedures

■ Code of Student Rights, Responsibilities and Conduct

■ Family Educational Rights and Privacy Act (FERPA)

University Policies and Procedures

Student Regulations

The University reserves the right in its sole judgment to make changes of any nature in the University's academic program, courses, schedule or calendar whenever in its sole judgment it is deemed desirable to do so. The University also reserves the right to shift colleges, schools, institutes, programs, departments or courses from one to another of its campuses. The foregoing changes may include, without limitation, the elimination of colleges, schools, institutes, programs, departments or courses; the modification of the content of any of the foregoing; the rescheduling of classes, with or without extending the announced academic term; and the cancellation of scheduled classes or other academic activities. If such changes are deemed desirable, the University may require or afford alternatives for scheduled classes or other academic activities and will give adequate notification of any change such as is reasonably practical under the circumstances.

Students who accept enrollment at the University must abide by the rules and regulations promulgated from time to time by the University including, but not limited to, those rules and regulations in the *Undergraduate Studies Bulletin* and the *Graduate Studies Bulletin*. Students are expected to live up to the highest standards of academic integrity. Fairleigh Dickinson University will not tolerate academic dishonesty in any form. Students also should conduct themselves with decorum and responsibility and comply with the requirements of the applicable Code of Student Rights, Responsibilities and Conduct as stated in this *Student Handbook*, available from the Dean of Students Office and on the FDU Web site (www.fdu.edu). The University reserves the right to dismiss or suspend students who fail to comply with the foregoing.

The University may suspend classes if they cannot be held for reasons beyond its reasonable control, such as fire, destruction of buildings, civil disturbances, work stoppage, labor dispute, strike, lock out (and whether or not in any of the last four cases it is within the University's power to concede to or meet the demands of its faculty or other employees), wars or governmental actions. If such suspension lasts for an extended period of time and the University does not schedule appropriate make-up classes, a partial refund of tuition will be made as the University deems appropriate under the circumstances. Payment of tuition or attendance at any classes shall constitute a student's acceptance of the University's rights as set forth in this and the two preceding paragraphs.

Nondiscrimination Policy

No person acting within the scope of his or her authority and responsibility at Fairleigh Dickinson University shall discriminate on the basis of race, color, creed, sex, sexual orientation, national origin, handicap, military status or age.

Drugs

Narcotics, hallucinogens and other illegal drugs are not permitted on University property, including the residence halls. Use of drugs in any vehicle on campus is likewise prohibited. Infractions are subject to University discipline in the form of disciplinary probation, suspension or dismissal.

Those students found guilty by civil courts of illegal use may be dismissed by the dean of students and may not be permitted to reregister without special approval.

Guidelines for Social Events

1. If an organization is planning an event, the students responsible must begin the event-clearance process **at least two weeks** in advance of the proposed date of the event.
2. The Events Clearance Form must be filled out with all necessary signatures obtained and then returned to the Office of Campus Life **no later than three working days** after the date of completion. Failure to return the form in the allotted time frame will result in cancellation of the event.
3. If the organization cancels the event, **48 hours advance notice** must be given to the Offices of Campus Life, Public Safety, Campus Facilities and Campus Adviser.
4. **Student and Sponsoring Organization Responsibility:** Organization Verification: The organization is responsible for abiding by all University policies and local state and federal laws with regard to events that take place at the Fairleigh Dickinson University College at Florham. The organization's students will also ensure that:
 - a. Alcohol is not present at the event.
 - b. The organization adviser (a University employee) will be present at the event and will make a fire-exit location announcement at the beginning of the event.
 - c. Beverage containers and/or oversized bags (i.e., backpacks) are not permitted at the event.
 - d. Drinking or carrying an open container of an alcoholic beverage outside of the area allocated for a social event will be prohibited.
 - e. Automobiles will not be parked on grass.
 - f. The event will end no later than the permissible time mentioned previously on this form.
 - g. All attendees must show ID and sign in. Guests (no more than two per current FDU student) must provide identification (driver's license and host student's current and valid school ID). When the host leaves the premises so must the

guest(s). If entertainment brings guests, a list must be submitted 24 hours in advance with no more than 10 names. Each guest must still possess appropriate identification.

h. On-campus advertising will be approved by the Office of Campus Life and can only be posted in designated areas on campus. A completed copy of this form must be brought to the Office of Campus Life when seeking approval of advertising.

i. Off-campus advertising will not be posted unless approved by the Office of Campus Life.

j. University property will be left in the condition it was found prior to the event (clean up and remove garbage).

k. No advertising, publicity or ticket sales for the event will occur until the event is officially approved.

Public safety officers for two events per semester and no more than four officers per event will be provided to events. Costs for additional events or officers will be the club's responsibility. The Public Safety Request Form must be completed.

Beyond the two events per semester, the payment of public safety officer(s) is the responsibility of the club/organization. The club or organization will be billed for the officer(s). If an organization cancels the event, the department of public safety must be notified 48 hours in advance; otherwise, the club/organization will be responsible for the cost of the assigned officer(s).

Guidelines for Social Events with Alcohol

The University encourages and supports students who abstain from the use of alcoholic beverages. However, it acknowledges the social environment and that the law establishes a minimum age of 21 for the use of alcohol. Students under 21 years of age are not permitted to possess or consume alcoholic beverages on campus. Those students who may legally do so are permitted to consume alcoholic beverages in specifically designated areas only.

The College at Florham Alcohol Policy was developed in an effort to allow College at Florham students who are 21 years old and older to have social gatherings in designated campus areas, on specific nights with alcohol. Hosts and participants are reminded of their responsibility to comply with FDU community standards and New Jersey state law.

The dean of students must approve events sponsored by a University department or non-University source where alcohol may be present and where students under the age of 21 may be in attendance. Individuals who live in the residence halls and are 21 years of age and older may also sponsor events in designated campus areas beyond the residence hall complex, and must be approved by the dean of students.

Student clubs and organizations, including fraternal organizations in good standing, may sponsor an event with alcohol and must be approved by the Office of Campus Life.

New Jersey State Laws:

1. It is unlawful for a person under the legal drinking age of 21 to consume alcohol or to have it in his or her possession.
2. It is unlawful to purchase alcohol for, sell alcohol or give alcohol to a person under the legal drinking age.
3. New Jersey state law prohibits the consumption of alcohol in public areas.

4. The sale of alcohol is prohibited without a state permit. This includes passing the hat and/or charging a cover.

Guidelines/Responsibilities for Social Events with Alcohol

The serving, possession and consumption of alcoholic beverage(s) during approved and registered events are subject to all applicable federal, state and local laws and ordinances, to the general and special regulations of the sponsoring organizations to the use of particular facilities as determined by the individuals responsible for the facility. Sponsoring clubs, organizations, individuals, departments and non-University sources are also responsible for adhering to the following guidelines and responsibilities:

a. Clubs and student organizations registered in the Office of Campus Life and in good standing may sponsor an event with alcohol and must be approved by the Office of Campus Life. The dean of students must approve any event sponsored by a campus department or individuals.

b. Beer and wine are the only alcoholic beverages that can be served and/or purchased by student clubs and organizations during the event. Nonalcoholic beverages (other than water) must be provided throughout the event along with soft drinks and food (e.g., hot dogs). An amount of food consistent with the number of persons attending the event must also be provided. For social events which take place in the Bottle Hill Pub, it is the responsibility of the Office of Student Life to purchase the alcohol to be served at the event because it is a licensed establishment. Drink and food prices will be determined by the Office of Student Life and will be posted during each event.

c. Events with alcohol may be held during the hours of 5 p.m. and 1 a.m. in a maximum of a four-hour block. Only one event per night may have alcohol. No alcoholic beverages may be furnished to a visibly intoxicated person, and provisions must be made for the safety of such individuals.

d. It is the responsibility of the organization, club, department and individuals to complete an Event Clearance Form and any other paperwork, which can be picked up at the Office of Campus Life. The date must be reserved at least two weeks in advance. The Office of Campus Life approves club and organization social events. The dean of students is responsible for the approval of events for individuals and departments. Non-University sources must have social events approved by the Office of Facilities and Conferences and adhere to the guidelines/responsibilities for social events with alcohol.

e. Any flyers or posters to be hung on campus must accompany the Event Clearance Form. The Office of Campus Life must approve advertisement for an event, prior to posting. The main attraction in the advertisement should focus on the event and not alcohol.

f. No off-campus advertising is allowed.

g. The department of public safety ultimately regulates the number of officers needed per event. Generally, it is required that two public safety officers be present at each event along with the organization's adviser, who must be there for the entire event. If other officers are needed, it is the sponsoring organization's, club's, department's or individual's financial responsibility and payment must then be made in full to the Dean of Students Office no later than 24 hours before the event.

h. Maximum occupancy for the room where the event will take place is determined by the municipal fire department and will be made available to the campus community by the campus department of public safety.

i. Advisers of clubs or organizations must be present at each event. The adviser(s)' responsibilities at events with alcohol include:

- To be in attendance during the entire event.
- To assist the organization, club, individuals or department in having a successful event.
- To introduce himself/herself to the public safety officers on duty for the event.
- To circulate in the room during the event to ensure there are no unauthorized alcohol or containers in the event, no one is smoking and that the environment is safe.
- To report concerns to the organization, club, department and individual chairperson responsible for the event and work with the organization, club, group or department to solve the problem, preferably in conjunction with public safety officer(s) on duty.

j. No more than one or two events with alcohol in the Bottle Hill Pub will be permitted per week. Reservations are held on a first-come, first-served basis for alcohol or nonalcohol events. There is no limit to the number of nonalcoholic events that may be held in a given week as long as the proper professional student life and possible public safety staffing is available.

k. It is the responsibility of the sponsoring organization to provide a theme and entertainment for all events. Examples of entertainment could be a DJ, band, comedian, etc., as the sole purpose of the event is not alcohol.

l. Clubs and organizations, which receive Student Government Association funds, may only sponsor one event per academic year. Furthermore the use of club or organization funds and student fees must not be used for purchasing alcoholic beverages. Unallocated funds can be used to purchase alcohol.

m. Each College at Florham student must present a valid student ID card to be permitted into the room when alcohol is present. Students must carry their ID cards at social events. An individual may be denied admission to an event if he or she is unable to produce a current ID card. All individuals must sign in for each event.

n. A College at Florham student may bring no more than two guests to an event. FDU students and guests must sign in at the door, produce proper identification and leave that identification with the sponsoring organization while the students and guests are in attendance. The College at Florham student is responsible for the actions of his/her guest(s). Gaining access to the event does not permit the guest access to other areas of the campus.

o. Any participant providing false identification to either a public safety officer, bartender, professional campus life staff member or any other University official at any time during the event will be subject to immediate removal and disciplinary action, including confiscation of false identification.

p. A fee will be determined for use of the Bottle Hill Pub. This money will help defray operational expenses and the purchase of alcohol for the event. Any remaining or unused alcohol from the event becomes the property of the facility. Sponsoring clubs, organizations, individuals or depart-

ments that use the facility can sell tickets in advance for the event.

q. The sponsoring club, organization, department, non-University source and individuals are ultimately responsible for any damages that may occur during the event. They will be billed accordingly.

r. The Office of Campus Life will be responsible for employing bartenders. Bartenders have the authority to recheck identification at point of sale and/or to refuse service. Public safety officers and professional Office of Student Life personnel may also recheck IDs or ask people to leave while an event is taking place. No person appearing intoxicated or behaving in an unruly manner will be permitted into the event or may be asked to leave the event. No refund for monies spent will be given.

s. Individuals, clubs, organizations and departments that sponsor events are responsible for ensuring that no shots of any type of alcoholic beverages are available, that drinking games are prohibited and that no punch containing alcohol is present.

t. Drinking or carrying an open container of an alcoholic beverage outside the area allocated for a social event is prohibited.

u. Each club, organization, department, non-University source and individual maintains the responsibility for its/his/her own decisions and actions regarding the use of alcoholic beverages and should be prepared to accept the consequences associated with any violation of institutional policy or federal, state and local laws and ordinances.

v. Reservation of any event is contingent upon the approval of campus life and/or the dean of students.

w. For clubs, organizations, departments or individuals that plan social events in Lenfell Hall, Hennessy Hall (Mansion), the Dean of Students Events Clearance Committee must approve the use of alcohol where students under the age of 21 may be in attendance. The Event Clearance Form must be picked up and completed in the Office of Campus Life and forwarded to the dean of students.

x. Beverage containers and/or oversized bags (i.e. backpacks) will not be permitted at events.

y. Changes and/or additions to the Guidelines for Social Events may be made at any time during the academic year and circulated to the campus community by appropriate and reasonable means.

z. Any music for outdoor events must be approved by the Dean of Students Office.

Faculty, Staff, Administration and Non-University Sources

Members of the faculty, staff, administration and non-University sources are urged to consider alternatives to the furnishing of alcoholic beverage(s) at sponsored events. In compliance with New Jersey State law and ordinances, the minimum age of 21 is required to consume or possess alcohol. To ensure that the campus community at-large complies with the law, please refer to the Guidelines for Social Events with Alcohol on pages 20–21 when planning events.

Guidelines for Enforcement

The division of student affairs and the department of public safety have joint responsibility for enforcing University/cam-

pus policies, rules and regulations concerning the possession and consumption of alcoholic beverages. The rules and regulations as well as guidelines/responsibilities for social events have been developed to comply with New Jersey State law.

The primary means of enforcing the University's/campus's rules and regulations regarding the possession or consumption of alcoholic beverages will be the Fairleigh Dickinson University/College at Florham, Code of Student Rights, Responsibilities and Conduct. The "Code" provides for disciplinary action when student clubs, organizations, departments and individuals are charged with violating University and/or campus policy.

Please be advised that clubs, organizations, individuals or departments who do not comply or violate this policy, will be subject to disciplinary action that could include the suspension of privileges to use campus facilities for social events.

Computing Services Acceptable Use Policy

The University computing resources support the instructional, research and administrative activities of the University. Users of these facilities may have access to University resources, sensitive data and external networks. Consequently, it is imperative for all users to behave in a responsible, ethical and legal manner. Students are responsible for complying with relevant acceptable use policies. The Fairleigh Dickinson University Acceptable Use Policy and the Residential Network Acceptable Use Policy may be obtained from computing services. Failure to comply with these policies may result in charges of violation of the Code of Student Rights, Responsibilities and Conduct and possible state and federal action.

Guests on Campus

Guests and visitors always are welcome, but a special visitor or guest pass is required. Guests and visitors in the residence halls must at all times be escorted by a current resident student and must complete a University guest pass. Passes are available from the Office of Campus Life during normal business hours and on a 24-hour basis from the department of public safety. Loiterers and unregistered vendors are not permitted and will be required to leave the campus.

Federal, State and Municipal Laws

The University prohibits any conduct in violation of federal, state or municipal laws and ordinances. Loiterers and unregistered vendors are not permitted and will be required to vacate the campus.

Firearms

Lethal weapons, firearms and fireworks are not permitted on campus.

No Smoking Policy

The University has adopted a policy controlling smoking, as required by New Jersey law. The University is committed to providing a smoke-free environment to protect the health and comfort of members of the University community from the adverse effects of tobacco smoke. This policy shall be implemented by the following rules and regulations, which may be changed from time to time.

Rules and Regulations

A. There shall be no smoking of tobacco products within any building or facility owned or operated by the University, except as provided below.

B. In accordance with New Jersey state law, smoking is prohibited anywhere in campus residence halls. This includes students' rooms as well as public areas, such as stairwells, lounges, lobbies and bathrooms.

C. While all other buildings and facilities on University property are smoke-free, it should be particularly noted that there is no smoking in conference rooms, classrooms, laboratories or lecture halls or in auditoriums, except smoking may be permitted as part of a theatrical performance; offices; libraries and bookstores; health facilities; cafeterias and food and beverage service areas; storage or warehouse areas and anywhere that hazardous substances are found; lavatories; University-operated motor vehicles; elevators, corridors, lobbies, entries or stairways; or gymnasiums, stadiums and other sports or recreational areas.

D. Designated Smoking Areas

1. The University may designate in gymnasiums, stadiums and auditoriums separate and enclosed spaces for smoking. In recreational areas that are completely outdoors smoking is permitted in an area confined to a 10-foot radius of a University-placed cigarette disposal container.

2. The University may designate a lounge in an office building or an academic building for smoking; and a lounge that is part of a lavatory may be so designated provided there is a lavatory in the building that employees may use where smoking is not allowed.

E. Enforcement: Initial responsibility for enforcement of these regulations lies with the supervisor of the individual charged with a violation. Department heads and office supervisors should receive complaints and pursue them to resolution or, if resolution cannot be achieved, refer them in writing to their supervisors. Complaints about students should be directed initially to the dean of students or to the person that office designates to handle residence hall matters. In appropriate circumstances, complaints should be referred to the campus department of public safety.

The Offices of the Deans of Students may promulgate further policies and procedures on smoking in residence halls.

F. Lease or License of University Facility: These rules shall be incorporated in the room reservations policy and procedure and other methods of granting permission for individuals and groups to use University space or facilities. The person or organization granted such use shall acknowledge his/her or its responsibility to enforce this policy and the rules thereunder. Exceptions can be made only in writing by the campus provost on the room-reservation or similar form.

G. Fines and Penalties: The state may impose fines as provided by law for violation of the law. A smoker who violates this policy shall be required to reimburse the University for any consequent fine imposed upon it under the New Jersey Smoking Act (N.J.S. 26:3D-15 et seq., as may be amended, the "Act") and for the University's other costs of defense of or compliance with any matter related to the Act or this policy. In addition, an employee or a student who violates this policy can be reprimanded or disciplined. This discipline also may include a fine of up to \$250.00 for each violation of this policy. Employees and students are responsible for the com-

pliance of their guests (and other invitees) with the Act and this policy. The fine assessed against a guest shall become the responsibility of his or her host or the person or organization authorized to use the University space.

Parking

Students must comply with all parking and traffic regulations. See the *Parking Manual* for complete campus regulations.

Posting in Public Areas

A. All notices and advertisements posted on University property must be approved prior to posting along with the approved Event Clearance Form. Requests to post notices or advertisements of any kind on University property must be submitted to the Dean of Students Office for approval three business days in advance of the desired posting. Material which is deemed to be obscene, racist, sexist, libelous or offensive to the diverse campus community will not be approved for posting.

B. Materials to be posted in the residence halls, Student Center and Recreation Center must be submitted to each individual office for distribution three business days in advance of the desired posting.

C. Materials to be posted in academic and administrative office buildings must be placed on designated bulletin boards.

D. The posting of any flyers or notices of any kind on vehicles or unauthorized University property (i.e., trees, walls, windows, glass and doors) and existing campus directional signs is prohibited.

E. Advertisements will be permitted to be posted until the occurrence of the event. Organizations, clubs, departments or individuals are responsible for the removal of postings immediately after the activity or event has taken place. Failure to do so will result in the loss of posting privileges.

F. Students in violation of any of the preceding regulations are subject to disciplinary action.

Students in violation of any of the above regulations are subject to disciplinary action. The townships of Florham Park and Madison are resources to the campus community. Our neighbors offer students a variety of cultural activities, off-campus housing, employment and convenient shopping areas. Friendly, constructive town relationships contribute to students' overall education. The University works cooperatively with the surrounding communities. Any violation of town laws could subject a student to campus action.

Code of Student Rights, Responsibilities and Conduct

I. Definitions

When used in this code:

A. The term "University" means Fairleigh Dickinson University and, collectively, those responsible for its control and operation.

B. The term "student" includes all persons registered at the University, both full time and part time, pursuing undergraduate studies or graduate studies or registered for continuing education courses.

C. The term "instructor" means any person designated by the University to conduct educational activities.

D. The term "organization" means a number of students who have complied with the formal requirements for University recognition as provided herein.

E. The term "group" means a number of students who have not yet complied with the formal requirements for becoming an organization.

F. The term "student press" means either an organization whose primary purpose is to publish and distribute any publication on campus or a regular publication of an organization.

G. The term "custodian" means the administrative officer with supervisory authority in the area under discussion.

H. The term "shall" is used in the imperative sense.

I. The term "may" is used in the permissive sense.

J. All other terms have their common usage unless the context dictates otherwise.

II. Institutional Governance

All constituents of the University community are free, individually and collectively, to express their views on issues of University policy and on matters of interest to the student body.

A. Students may express themselves on all University policies affecting academic and student affairs through the student government and appropriate University and campus committees.

B. The students' role in University governance is determined by the Board of Trustees.

III. Bill of Rights

The following rights shall not be construed to deny or disparage other rights retained by students as members of the student body or as citizens of the local community, state and nation.

A. Free inquiry, expression and assembly are guaranteed all students within reasonable bounds established by the University.

B. Students are free to pursue their educational goals; appropriate opportunities for learning in the classroom and on the campus shall be provided by the University.

C. Legal rights of students to privacy in their persons, campus living quarters, papers and effects shall be respected.

D. Except in unusual circumstances, no disciplinary sanctions may be imposed upon students without notice of the nature and cause of the charges; and only after the opportunity to have a hearing that may include witnesses and the assistance of a person of their choosing. This adviser may not be a practicing attorney. (See XV. L. 5.)

E. A student accused of violating University regulations shall appear before the appropriate judicial body. If the accused admits responsibility, the sanction(s) will be imposed by the dean of students and no formal hearing is held. The dean of students may consult with the Campus Standards Committee for sanction advice or mandate the Campus Standards Process.

IV. Student Records

With respect to student records, all students of the University have rights pursuant to the Family Educational Rights and Privacy Act of 1974.

V. Campus Expression

Discussion and expression of all views are permitted within the University, subject only to the requirements for the maintenance of order.

A. Support of any cause by orderly means is permitted, provided it does not disrupt the operation of the University.

B. The right of peaceful protest is guaranteed within the University community. However, the University retains the right and recognizes the obligation to assure the safety of individuals, the protection of property and individual rights and the continuity of the educational process.

C. Orderly picketing and other forms of peaceful protest are permitted on University premises and in the public areas of University buildings provided they shall not interfere with ingress and egress, disrupt classes or the operation of offices or damage property.

1. University facilities shall be assigned to organizations, groups and individuals for regular business meetings, social programs and programs that are open to the public on a space-available basis.

2. The individual group or organization requesting space must inform the University of the general purpose of the function. The University retains the right to control time, place and manner requirements.

3. An individual or organization that abuses assigned facilities will be responsible for making restitution for damages and may have limitations imposed on future utilization of space and may be subject to disciplinary action.

D. Every qualified student has the right to an employment interview on campus by any recruitment organization desiring to recruit at the University, provided said organization has registered with Career Development Office and is a bona fide employer.

E. Students, student groups and campus organizations may invite and hear any persons of their own choosing subject to the following requirements herein for use of University facilities:

1. The sponsoring organization must submit a written statement of intent listing the speaker, the topic, the date, the time and in what facility the program will be held to the Office of Student Life at least three weeks in advance of the program.

2. When such a statement has been received, the Office of Student Life will then follow one of the following procedures:

a) The appropriate information will be recorded and given approval for the program.

b) After consultation with the sponsoring organization, the program will not be approved.

3. After approval of the program, the University, on behalf of the organization, may extend a formal, written invitation and a contract to the speaker. The invitation will include the time, place and date of this program in addition to the topic to be presented.

4. A contract must be signed by the speaker and forwarded to the director of student life for signatures. No student under any circumstances is authorized to sign a contract or to represent to a vendor or any other person that he or she or any other student has such authority. A student who violates this rule will be personally liable for any charges so incurred.

5. Student groups sponsoring a controversial figure, as deemed by the University, must make provisions for the expression of opposing points of view either at the same

meeting or at a subsequent meeting within a four-week period.

6. No publicity may be circulated until the event has been duly registered with the Office of Student Life and each guest speaker has been invited and all appropriate paperwork has been completed and processed.

F. The University is committed to protect students from discrimination on the basis of gender, age, color, race, creed, handicap, national origin, military status or sexual orientation.

VI. Publications

Editors and managers of the student press shall not be arbitrarily suspended because of student, faculty, administration, alumni or community disapproval of editorial policy or content. Similar freedom is assured for oral statements of views on a student-managed radio or television station.

A. This editorial freedom entails a corollary obligation under the canons of responsible journalism and applicable regulations of the Federal Communications Commission. The student press is to be accurate in quotations and literate in presentation.

B. Students must recognize the legal and fiduciary obligations incumbent upon them and the University in all publication matters. There also must be a recognition that freedom of expression with opportunity for responsible replies is one of the characteristics of higher education in the United States.

C. Campus Media Boards, composed of students, faculty and administrators, are charged with implementation of all University media policy.

D. All student communications shall explicitly state on the editorial page or in broadcast that opinions expressed are not necessarily those of the University or its student body.

VII. Campus Organizations

Organizations and groups may be established within the University for any legal purpose. An affiliation with an extramural organization shall not in itself disqualify the University branch or chapter from University privileges.

A. A group that wishes to become a registered campus organization must comply with the following:

1. Submit a list of officers and copies of the constitution and bylaws to the dean of students or his/her designee for review and approval in accordance with established procedures. Amendments shall be submitted for approval four weeks before they become effective.

2. Where there is affiliation with an extramural organization, the extramural organization's constitution and bylaws shall be filed with the dean of students or his/her designee and reviewed for conflicts with University policy. Amendments shall be submitted to the University for review.

3. Provide a current Certificate of Liability Insurance for the campus organization. The liability insurance should be for a limit of not less than \$1 million.

B. Registration of an organization by the University implies neither approval nor disapproval of the aims, objectives and policies of the organization.

C. Any organization that engages in activities that are a violation of University policies on or off campus may have sanctions imposed against it by the dean of students and through the campus standards process. Such an organization is also liable to action by external sources.

D. Discrimination on the basis of color, creed, age, handicap, national origin, military status, race, gender or sexual orientation is prohibited. Please note: Most SOCIAL FRATERNITIES and SORORITIES are exempt from the provision of "Title IX Regulations prohibiting sex discrimination in higher education." Local fraternities and sororities as well as auxiliary groups (little sisters or little brothers) are not permitted.

E. Membership in all University student-related organizations shall be open to full-time College at Florham undergraduate students who are willing to subscribe to the stated aims and to meet the stated criteria and obligations of the organization.

F. Officer and membership lists are required of all recognized student organizations and of those that receive student activity funds. Lists must be filed in the Office of Student Life within the first three weeks of each semester.

G. The lists of names and addresses will be confined to the files of the student life, dean of students and student government offices. The names and addresses of organizational officers may be released at the discretion of the dean of students or his/her designee and in accord with the stipulations of the Family Educational Rights and Privacy Act of 1974.

H. All organization contractual agreements and/or financial transactions must be approved by the Office of Student Life or the Dean of Students Office.

I. Each organization is responsible for the behavior of its members at all times when they are acting under the auspices of the organization. (See VII. C, D, E.)

J. Funding for eligible organizations is governed by the Student Government Association (SGA) Financial Board and the Dean of Students Office. A copy of the SGA Financial Guidelines can be obtained in the Dean of Students Office.

K. Each organization is subject to rules, regulations and/or procedures that are established by the dean of students, the Office of Student Life and the appropriate organizational governing boards.

L. Students must maintain an overall grade point ratio (GPR) of 2.00 to participate in any organization and an overall GPR of 2.30 to hold a major office. Greek life members must maintain a minimum overall GPR of 2.15 for general membership and a minimum of 2.30 to hold a major office. All members of the Student Government Association must maintain an overall GPR of 2.50. Grades are verified by the Office of Student Life through the organizations' membership rosters.

VIII. Organization Member Initiation and Affiliation

Organization member initiation and affiliation activities should be supportive of the goals and mission of the student organization and should foster the academic and personal development of incoming and existing members. Such activities must comply with all University policies and regulations.

A. Fairleigh Dickinson University adheres to state, local and federal guidelines *and laws* in all matters. It has adopted a hazing policy that is consistent with state prohibitions on hazing activities. Hazing is defined as:

1. Any action or situation that recklessly intentionally or unintentionally endangers the mental or physical health or safety of a student OR THAT WILLFULLY DESTROYS OR REMOVES PUBLIC OR PRIVATE PROPERTY for the purpose of initiation or admission into or affiliation with, OR AS A

CONDITION FOR CONTINUED MEMBERSHIP IN, any organization operating under the sanction of OR REGISTERED AS AN ORGANIZATION BY Fairleigh Dickinson University.

2. Such actions and situations include paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests; treasure hunts; scavenger hunts; road trips or any other such activities carried on outside the confines of the University; publicly wearing apparel which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; late work sessions that interfere with scholastic activities; any forced consumption of alcohol or drugs; and any other activities that are not consistent with rituals or policies or the regulations and policies of Fairleigh Dickinson University.

B. Hazing is dangerous and unnecessary, and contrary to the educational goals and process of Fairleigh Dickinson University.

C. If a student or organization is involved in a hazing incident, the parties involved will be referred to the University judicial process. (See XII B.) Appropriate action will be taken.

IX. Student Rights and Residence Halls

As part of its educational mission, the University owns and operates residence halls. Students shall have a voice in recommending residence hall programs and policies.

A. A Residence Hall Judicial Board or Campus Standards Committee will be charged with dealing with violations of regulations specifically pertaining to residence hall policy.

B. The University reserves the right of room inspection to ensure compliance with regulations and standards. Room inspections, unless motivated by emergency or conditions beyond the control of the University, will be in compliance with the University housing contract. When residents request maintenance service for their rooms, consent to enter shall be considered implicit in the request.

C. Should the University conduct a room search, an attempt will be made to obtain the consent of the resident. Searches can be made without consent when there exists reasonable cause to believe that a violation of University regulations either has taken, or is in the process of taking, place.

D. Further rules and regulations are specified in the Residence Life section in the latter part of this handbook.

E. FDU students assume full responsibility for the behavior of their on-campus guests at all times. Guests' inappropriate behavior will result in disciplinary sanctions against the host.

F. Disciplinary action will be taken against students hosting individuals who have been banned from the residence halls on campus.

G. Please refer to the residence life section for the guest policy in the residence halls.

X. Campus Sexual Assault Victim's Bill of Rights

A. A college or university in a free society must be devoted to the pursuit of truth and knowledge through reason and open communication among its members. Academic communities acknowledge the necessity of being intellectually stimulating where the diversity of ideas is valued. Its rules must be conceived for the purpose of furthering and protecting the rights of all members of the University community in achieving these ends.

The boundaries of personal freedom are limited by applicable state and federal laws and institutional rules and regulations governing interpersonal behavior. In creating a community free from violence, sexual assault and non-consensual sexual contact, respect for the individual and human dignity are of paramount importance.

The state of New Jersey recognizes that the impact of violence on its victims and the surrounding community can be severe and long-lasting. Thus, it has established this Bill of Rights to articulate requirements for policies, procedures and services designed to ensure that the needs of victims are met and that the colleges and universities in New Jersey create and maintain communities that support human dignity.

B. Bill of Rights: The following rights shall be accorded to victims of sexual assault that occur:

1. On the campus of any public or independent institution of higher education in the state of New Jersey and
2. Where the victim or alleged perpetrator is a student at that institution and/or
3. When the victim is a student involved in an off-campus sexual assault.

C. Human Dignity Rights:

1. To be free from any suggestion that victims must report the crimes to be assured of any other right guaranteed under this policy.
2. To have any allegations of sexual assault treated seriously; the right to be treated with dignity.
3. To be free from any suggestion that victims are responsible for the commission of crimes against them.
4. To be free from any pressure from campus personnel to:
 - a) report crimes if the victim does not wish to do so,
 - b) report crimes as lesser offenses than the victim perceives the crime to be,
 - c) refrain from reporting crimes or
 - d) refrain from reporting crimes to avoid unwanted personal publicity.

D. Rights to Resources On and Off Campus:

1. To be notified of existing campus and community-based medical, counseling, mental health and student services for victims of sexual assault, whether or not the crime is reported formally to campus or civil authorities.
2. To have access to campus counseling under the same terms and conditions as apply to other students in their institution seeking such counseling.
3. To be informed of and assisted in exercising:
 - a) any rights to confidential or anonymous testing for sexually transmitted diseases, human immunodeficiency virus and/or pregnancy and
 - b) any rights that may be provided by law to compel and disclose the results of testing of sexual assault suspects for communicable diseases.

E. Campus Judicial Rights:

1. To be afforded the same access to legal assistance as the accused.
2. To be afforded the same opportunity to have others present during any campus disciplinary proceeding that is allowed the accused.
3. To be notified of the outcome of the sexual assault disciplinary proceeding against the accused.

F. Legal Rights:

1. To have any allegation of sexual assault investigated and adjudicated by the appropriate criminal and civil authorities of the jurisdiction in which the sexual assault is reported.
2. To receive full and prompt cooperation of and assistance from campus personnel in notifying the proper authorities.
3. To receive full, prompt and victim-sensitive cooperation of campus personnel with regard to obtaining, securing and maintaining evidence, including a medical examination when it is necessary to preserve evidence of the assault.

G. Campus Intervention Rights:

1. To require campus personnel to take reasonable and necessary actions to prevent further unwanted contact of victims by their alleged assailants.
2. To be notified of the options for and provided assistance in changing academic and living situations if such changes are reasonable available.

H. Statutory Mandates:

1. Each campus must guarantee that this Bill of Rights is implemented. It is the obligation of the individual campus governing board to examine resources dedicated to services required and to make appropriate requests to increase or reallocate resources where necessary to ensure implementation.
2. Each campus shall make every reasonable effort to ensure that every student at that institution receives a copy of this document.
3. Nothing in this act or in any "Campus Assault Victim's Bill of Rights" developed in accordance with the provisions of this act, shall be construed to preclude or in any way restrict any public or independent institution of higher education in the state from reporting any suspected crime or offense to the appropriate law enforcement authorities.

XI. Sexual Harassment

Fairleigh Dickinson University does not tolerate or condone any form of sexual harassment. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that:

- are aimed at coercing an unwilling person into a sexual relationship; or
- make submission to or rejection of such conduct the basis for employment or academic decisions affecting the individual; or
- unreasonably interfere with the individual's work or academic performance by creating an intimidating, hostile or offensive environment for work or learning.

Acts of sexual harassment may include, but are not limited to:

- sexual battery;
- requesting sexual favors accompanied by implied or overt threats concerning one's job, grade, letter of recommendation, etc.;
- verbal harassment or abuse of a sexual content;
- physical contact such as patting, pinching or unnecessary touching;
- subtle pressure for sexual activity; and
- sexist remarks or gestures regarding a person's body, clothing or sexual activities.

If you feel that you are being sexually harassed you are encour-

aged to seek help. As a first step, report the incident to the Dean of Students Office as well as to the harassment investigating officer in the Office of Human Resources. Your discussion will be strictly confidential and does not commit you to further action. However, if you do decide to pursue the matter, you may follow either an informal or formal procedure. The informal procedure helps the victim communicate effectively with the harasser. The formal procedure deals with harassment that persists in spite of efforts to resolve the problem.

XII. Racial Harassment

Fairleigh Dickinson University will not tolerate any form of racism or bigotry on any of its campuses and is committed in all areas of operation to a policy of nondiscrimination. Any student or employee found guilty of behavior that denies or takes away from the dignity of another human being will be subject to disciplinary action that could include suspension, dismissal from the University or job termination. Racial harassment is not only against University policy; it is against New Jersey State law. Thus, the University will actively assist in the prosecution of violators under the New Jersey Bias Crime Statutes and will uphold and encourage the strongest possible sanctions.

Racial harassment involves any action, including oral, written, graphic or physical in nature, directed against another person or group of persons because of race, color or national origin. FDU seeks to promote an educational environment free from all kinds of discriminatory harassment and strives to create a climate that embraces racial, ethnic, religious and cultural diversity.

If a student believes that he or she has experienced discriminatory harassment by another student, the student should follow the process as described under the Code of Student Rights, Responsibilities and Conduct.

If a student believes that he or she has experienced discriminatory harassment by a University faculty or a member of the professional or support staff, the student should register a complaint with the harassment investigating officer of the Office of Human Resources. At that time, the office will implement the following process if the reported complaint is deemed to have merit:

a. The discriminatory harassment complaint may be resolved within a reasonable time period through an informal mediation process, which seeks to negotiate a resolution, preferably satisfactory to all parties involved.

b. The discriminatory harassment complaint may be resolved through the formal process. The student may select this option following or in place of the informal process within 15 days of the termination of the informal process. To initiate the formal process, the student must complete the FDU Discrimination Complaint Form. (Discriminatory harassment includes discrimination based on sex, sexual orientation or disability.)

XIII. Violation of University Standards

Generally, institutional discipline shall be applied to conduct that adversely affects the University community's pursuit of its educational objectives. The University will not, under any circumstances, tolerate illegal drug use, underage drinking, assault or vandalism. Any student found in violation of these offenses could be subject to

automatic removal from the residence halls and/or the University. The following are examples of conduct that would be subject to disciplinary actions as listed in Section XIV. Sanctions.

A. Failure to comply with the directives of institution employees, including the rules of this Code of Conduct and any other regulations that may be adopted.

B. Possessing or exhibiting false identification with the intent to deceive.

C. Failure to produce an appropriate form of identification upon request of a University official.

D. Furnishing false information to the University or to a University official with the intent to deceive.

E. Threat, assault, attempted assault, hazing or physical abuse or injury to the person of another student, faculty or staff member, administrative officer or guest of the University.

F. Verbal assault or abuse, or physical obstruction of any individual, or verbal or physical disruption or obstruction of teaching, research or disciplinary proceedings of any individual, office or authorized University program, event, function or activity.

G. The violation of any civil or criminal statutes of the state of New Jersey that occurs on the college campus and directly affects the University community.

H. Inducing, coercing or assisting another to do any act that could subject a student to charges of violation of campus standards.

I. Fraud, forgery, alteration, unauthorized use or misuse of any official University document, i.e., work-study vouchers, student IDs, registration forms, etc.

J. Unauthorized use or misuse, including but not limited to, mutilation and/or defacing of educational materials, records or property.

K. Attempted theft, bribery, extortion, misappropriation of funds or property and/or possession of stolen property.

L. Nonaccidental damage, grossly negligent damage, vandalism or arson to any University property or private property of another student, faculty or staff member, administrative officer or campus visitor.

M. Illegal use, possession, illegal distribution, transfer or sale of narcotics, alcoholic beverages, hallucinogenic agents, other controlled or dangerous substances and drug paraphernalia on campus.

N. Construction, actual possession and/or use of firearms, other potentially dangerous items that may be used as weapons and inherently dangerous or explosive materials, including fireworks.

O. Interfering with campus public safety officers while they are acting in performance of their duties on the college premises or intentionally ignoring citations issued by the campus public safety officers.

P. Submitting a check from a closed account or an account not covered by sufficient funds to a campus official or service or failure to repay monies from emergency student loan funds by the agreed deadline.

Q. Racial harassment or insult to the person of another student, faculty, staff member or guest of the University.

R. Sexual harassment or abuse to the person of another student, faculty, staff member or guest of the University.

S. Stalking, defined as a person purposely and repeatedly following another person and engaging in a series of acts over a period of time, however short, evidencing a continuity of purpose that alarms or annoys that person and that serves no legitimate purpose or making a credible threat with the intent of annoying or placing that person in a reasonable fear for his/her safety.

T. Obstructing access to or unregistered, unreserved, unauthorized entry, occupation, attempted entry or occupation or violating a no-trespass sanction of any University meeting, teaching, research, recreational and athletic, residential, classroom, office, public or common indoor or outdoor facilities or areas or other components of the University physical plant or property.

U. Arson, purposely starting a fire or causing an explosion.

V. Any activity in which a person engages in any form of gambling or bookmaking.

W. Concealed containers are defined as those items used for beverages where the contents of the container are not visible (i.e., squeeze bottles, thermos containers). The use of "concealed containers" is prohibited from:

1. All campus events and programs where beverages (alcoholic or nonalcoholic) are being served.

2. All outdoor campus events and programs (socials, academic and athletic).

Individuals who are *participating* in an athletic activity or sport (i.e., jogging, football, tennis) are not prohibited from using concealed containers. However, the use of concealed containers by spectators of athletic and sport activities is *prohibited*.

X. Creating or allowing a noise level that interferes with the academic process, disrupts the campus community or infringes on the rights of others.

Y. Any behavior that violates any other University regulation or policy (i.e., public intoxication, on-campus parking, traffic violations or computer use policy), and any action that endangers or tends to endanger the safety, health or life of any person.

XIV. Sanctions

The various penalties for established violations are set forth below. If a student is found responsible, one or more of the limited sanctions may be imposed by the dean of students or the dean's designee. Even when remedies are available through local law-enforcement bodies, the University, through appropriate means, may choose to impose its own disciplinary sanctions.

A. Dean of Students Probation: Dean of students probation is an official written notice to a student that violations of University regulations or policies, or patterns of behavior contrary to University standards or expectations, will not be tolerated. Repeated offenses will result in more severe action, including possible suspension or dismissal from the residence halls or University. Dean of students probation lasts for a stated period of time and a copy of the probation notice is maintained in a disciplinary file in the Dean of Students Office. This action also may include the possible suspension of campus privileges and/or the restriction of use of University facilities for a specified period of time.

B. Points: Violations of the Code of Student Conduct carry specific point values. The total points assigned to a student by the assistant dean of students for judicial affairs upon

completion of a hearing are detailed in the table at the end of this section.

C. Fines: A specific fine may be imposed for the violation of a policy or for the replacement of property damaged or stolen by the student. The payment of a fine by a student shall in no way limit the right of the University to seek restitution through civil proceedings.

D. Educational Interventions: Students may be required to attend educational sessions addressing particular issues such as alcohol, substance abuse and safety.

E. Counseling Interventions/Support: Should it be deemed necessary, a student may be required to attend mandatory counseling or specific classes offered through the counseling services in order to address particular areas of concern.

F. Social Restriction: A student may be prohibited, for a specified period of time, from attending social functions on or off campus which would include organization functions and/or events which take place at the Bottle Hill Pub or any University-sponsored and/or regulated activity.

G. Cocurricular Restriction: A student may be prohibited from participation in any nonacademic club or organizational activity, including serving as an officer in any campus organization or participation in varsity or intramural athletics for a specified period of time. This may be separate from or include any restrictions imposed by the director of student life. With respect to varsity athletics, this may be separate from or include any restrictions imposed by the athletics director.

H. Campus Restriction: A student may be prohibited from utilizing campus facilities including, but not restricted to, the library, weight room or any additional recreational facilities for a specified period of time.

I. Residence Hall Restriction: A student may be prohibited from living in and/or visiting the residence halls for a specified period of time.

J. Work-related Service: The assignment of tasks that foster community welfare as well as student development. Whenever possible, these tasks should reflect a relationship to the violation the individual is found responsible for, should be reasonable in terms of the activity required and should be specific in the time required and the expectations of the activity.

K. Written Notification to Parent: The parent or guardian may be notified in certain circumstances of a judicial action and final outcome.

L. Suspension: Exclusion from participation in all University programs, academic and cocurricular, for a specified period of time. The individual is made persona non grata from the campus for the duration of the suspension.

M. Dismissal: Permanent exclusion from the University.

Note: In instances of dismissal, suspension or leave of absence due to University disciplinary action, refund of tuition, fees, room and board charges, etc., is permitted in accordance with the refund schedule printed in the online *Course Offering Booklet*. To avoid additional charges, resident students must return all residence hall keys and access cards, laundry cards and student ID cards. Should any business need to be conducted, the student must contact the Dean of Students Office and department of public safety for permission to enter the campus.

Violations and Sanctions – Point System Chart

Sanction Code	A = Area Coordinator B = Assistant Dean	Violation	Point Sanction
Alcohol			
XIII.A.	B	Failure to comply with sanctions (including, but not limited to: completion of the Under-the-Influence Program, failure to attend assigned counseling session(s), incompleteness of community service hours/project).	1
XIII.M.	A	Underage presence at gathering where alcoholic beverages are present.	1
XIII.A.	A	Possession of empty alcoholic beverage container(s).	1
XIII.A.	A	Open container of an alcoholic beverage in a public area.	1
XIII.M.	A	Possession of device for mass-consumption (funnel, shot glasses, etc.).	1
XIII.M.	B	Underage possession of alcoholic beverage.	2
XIII.M.	B	Underage consumption of alcoholic beverage.	2
XIII.W.	B	Use of concealed containers for alcoholic beverages.	2
XIII.Y.	B	Intoxication.	2
XIII.M.	B	Possession of alcoholic beverage in a dry area.	2
XIII.M.	B	Consumption of alcoholic beverage in a dry area.	2
XIII.M.	B	Supplying/making available alcoholic beverage to underage students.	5
XIII.H.&M.	B	Hosting a gathering with underage drinkers.	5
XIII.M.&Y.	B	Participation in or providing the means for drinking games (including, but not limited to the promotion of binge drinking of alcoholic beverages).	5
XIII.M.	B	Possession of keg/half/quarter/ball.	5
XIII.M.	B	Possession/consumption of grain alcohol.	5
XIII.M.	B	Possession/consumption of any alcoholic punch.	5
XIII.M.	B	Possession of alcoholic beverages in amounts exceeding designated limits.	5
Drugs			
XIII.M.	B	Possession/consumption of illegal drugs or the abuse of prescription medications.	4
XIII.M.	B	Possession of drug paraphernalia.	4
XIII.M.	B	Selling/distribution of illegal or controlled substances.	6
XIII.M.	B	Hosting a gathering where drugs are present.	6
XIII.G.&M.	B	Possession of a large quantity of illegal drugs.	6
Vandalism			
XIII.L.	B	Destruction of property under \$500.	3
XIII.L.	B	Destruction of property over \$500.	5
Information			
XIII.C.	A	Failure to produce an ID upon request by any FDU official.	1
XIII.A.	A	Violation of guest policy — first offense.	1
XIII.A.	A	Failure to comply with a directive of any FDU official.	1
XIII.D.	B	Presenting false information to any FDU official.	2
XIII.O.	B	Interference with public safety officer or other FDU official.	2
XIII.A.	B	Violation of guest policy — second offense and further.	2
XIII.B.	B	Possessing a false ID or an ID belonging to another person.	2
XIII.T.	B	Obstructing access.	3
Theft			
XIII.P.	B	Submitting a check with insufficient funds.	1
XIII.K.	A	Possession of residence hall or other FDU property.	3
XIII.I.	B	Forgery or unauthorized use of documents.	4
XIII.K.	B	Theft of residence hall or other FDU property.	5
XIII.K.	B	Theft/misappropriation of funds.	6
XIII.K.	B	Theft of another student's property (possession without consent).	6

Personal

XIII.F.	B	Verbal assault/abuse of a student or FDU official, including "hate language," e.g. racial, ethnic or sexual-orientation epithets.	3
XIII.G.	B	Violation of any civil or criminal statute.	6
XIII.Q.	B	Harassment (inclusive but not limited to: racial, sexual, intimidation and conduct attempting to annoy, cause fear or cause harm).	6
XIII.E.	B	Physical assault, abuse or hazing of a student or FDU official (including any unwanted physical contact with or without injury).	6
XIII.S.	B	Stalking.	6
XIII.N.	B	Possession of a weapon.	6
XIII.E.	B	Direct threat of harm or retribution.	6
XIII.Y.	B	Creating conditions that endanger others.	6
XIII.E.	B	Physical fights started by mutual consent.	6

Fire Safety

XIII.Y.	A	Possession of halogen lamp, toaster oven, unapproved extension cord or unapproved appliances (first offense).	1
XIII.A.	A	Failure to leave the building during a fire alarm.	1
XIII.Y.	A	Burning candle/incense, possessing hazardous or flammable chemical/solvents/paints and storage/possession of holiday trees, live sprays of greens, wreaths, Hanukkah candles (first offense).	1
XIII.G.&Y.	B	Tampering with fire-safety equipment including smoke detectors, exit signs, blocking exit doors and discharging fire extinguishers.	6
XIII.G.&Y.	B	Pulling a fire alarm.	6

Community Standards

XIII.X.	A	Excessive noise.	1
XIII.X.	A	Sports or horseplay in halls or stairwells, water battles, food fights (first offense).	1
XIII.X.	A	Student entry into janitorial closet, boiler rooms or other restricted areas.	1
XIII.X.	A	Items thrown from residence hall window.	1
XIII.A.	A	Yelling from residence hall window.	1
XIII.A.	A	Removal or unfastening of residence hall window screen.	1
XIII.Y.	A	Student entry into restroom of opposite sex (first offense).	1
XIII.T.	A	Storage of bicycles in hallways, stairwells, lounges, lobby areas (first offense).	1
XIII.Y.	A	Throwing of food, bottles, snowballs or any object which presents health/safety risk or is damaging or disruptive (first offense).	1
XIII.A.	A	Use of emergency exit in nonemergency situation (first offense).	1
XIII.A.	A	Unapproved filming/videotaping in residence halls (first offense).	1
XIII.A.	A	Unauthorized room change (first offense).	1
XIII.V.	B	Gambling or bookmaking (first offense).	1
XIII.Y.	B	Student entry onto roof of FDU building.	3
XIII.Y.	B	Tampering/interfering with security cameras.	4
XIII.Y.	B	Improper use of elevator (alarm button and emergency phone).	4

Fines and Sanctions

Points	Fine	Additional requirements*
1	\$250	
2	\$250	<i>Under-the-Influence</i> program + 4 hours of community service
3	\$250	<i>Under-the-Influence</i> program + 8 hours of community service
4	\$500	Counseling, parental notification of total points and a warning of the possibility of suspension from residence halls.
5	\$500	Counseling, parental notification of total points, exclusion from nonacademic clubs/organizations, including varsity athletics, and a warning of the possibility of suspension from residence halls.
6	\$500	Suspension from the residence halls and all nonacademic activities for a period of not less than 15 academic weeks.

*Additional sanctions may be imposed at the discretion of the dean of students to strengthen the educational component of the judicial process.

Violations and Typical Sanctions

A new "Point System" began in fall 2006 at the College at Florham. Violations of the Code of Student Conduct carry a specific point value, not unlike the system used by the state Department of Motor Vehicles. The Point System has been developed with the input of students, staff and faculty, and it is enforced. *A student with six cumulative points will be suspended from the residence hall.* Students with prior disciplinary files will have their records converted to this system. Disciplinary actions and/or fines are described on the following pages. See the chart on pages 29–30 for a list of violations, their point values and the fines/sanctions.

XV. The Hearing Process

A. Jurisdiction: The Dean of Students Office has sole responsibility and jurisdiction for campus discipline.

1. The Campus Standards Committee shall be the principal hearing body assigned by the dean of students with jurisdiction to hear charges of student misconduct.

a) During the fall of each academic year, a Campus Standards Committee is established on the campus. (XV. A. 1.)

b) When the Campus Standards Committee is not functioning, cases are heard by the dean of students or the dean's designee.

2. The Campus Standards Committee shall have the authority to prescribe supplementary rules of procedure consistent with the requirements contained herein.

3. Special programs such as Wroxton and Fort Monmouth, etc., which by virtue of their structure and program preclude a campus standards process, will have the process waived in lieu of a process determined by the dean or director of the program that will appropriately ensure the rights of the student. If the student does accept responsibility and chooses to have the dean of students or his/her designee review and impose penalty, the student may not appeal the outcome of the sanctions imposed.

B. In all disciplinary matters, a representative of the Dean of Students Office shall make a preliminary investigation of the alleged charges. If it is determined that the charges have no substance, they will be dropped and the involved parties will be so informed.

C. If the charges have been determined to have substance, the student may enter a written statement admitting responsibility or denying it and may do so with an explanation.

D. The dean of students retains at all times the right to assign a case to the Campus Standards Committee.

E. Administrative Action

Where the facts of an incident are not in dispute, and when students suspected of a code violation wish to accept responsibility for their documented behavior, students may waive their right to notice of charges, to notice of proceedings and to a hearing. Upon review, such students will receive notice of the specific charge, any appropriate sanction and an explanation of the resulting disciplinary record. A plea of no contest or responsible as charged may be rejected by the dean of students or his/her designee in any case that warrants additional investigation. A student may not appeal the outcome of the sanctions imposed.

F. Administrative Hearing

1. Where responsibility for a code violation is in dispute, or

the facts of a specific incident are in question, students suspected of a code violation may elect to have the case reviewed by the assistant dean of students for judicial affairs or his/her designee.

2. The assistant dean of students for judicial affairs or designee must

a) weigh the facts in a particular instance to determine if an allegation of code violation is warranted;

b) apprise the student of alleged infractions of the code;

c) hear a student's plea regarding the charge;

d) assess the facts of the case to determine by a preponderance of the evidence whether the student has violated the Code of Student Rights, Responsibilities and Conduct; and

e) impose sanctions consistent with the provisions of the code.

3. The assistant dean of students for judicial affairs or designee may determine that, due to the nature or complexity of the facts of the case, it would be beneficial to have a hearing before the Campus Standards Committee. If this is the case, a Campus Standards Committee would be convened, and all parties involved would be notified of this decision by the assistant dean of students for judicial affairs or designee.

G. Initiation of Disciplinary Proceedings

1. Any University student, faculty member or staff member who believes that a student has violated the Code of Student Rights, Responsibilities and Conduct may file a complaint with the dean of students. The individual filing the complaint is referred to hereafter as the complainant. The University itself may act as the complainant through a designated staff member or members.

2. A preliminary interview will be scheduled by the assistant dean of students for judicial affairs or his/her designee at the time the accused student is notified of an alleged violation of the code. The purpose of this interview is to provide the student with the facts and circumstances which led to the charge. The assistant dean of students for judicial affairs or designee will explain the rights and options available as well as describe potential sanctions for the alleged violation in question. The accused student must attend this meeting. If the described sanction for an alleged violation includes suspension or dismissal, the student may:

a) admit to the charge and have the assistant dean of students for judicial affairs or designee impose the sanction,

b) request a hearing before the assistant dean of students for judicial affairs or his/her designee or

c) request a hearing before the Campus Standards Committee.

3. In all other cases where the assistant dean of students for judicial affairs or designee has informed the student that a potential sanction would NOT result in suspension or dismissal, the accused student may:

a) admit to the charge and be sanctioned by the assistant dean of students for judicial affairs or his/her designee or

b) request a hearing before the assistant dean of students for judicial affairs or designee, who will use the hearing procedures described in the Campus Standards Committee.

The assistant dean of students for judicial affairs or designee will determine by a preponderance of the evi-

dence whether the accused student has violated the Code of Student Rights, Responsibilities and Conduct.

4. **Sanctioning Process:** The assistant dean of students for judicial affairs or designee may elect to advise the accused student of the sanction immediately following the hearing or elect to consult precedent under the Code of Student Rights, Responsibilities and Conduct before making a decision. In either case, the final outcome will be communicated in writing and be made part of the official disciplinary record.

H. Mediation

1. The University encourages its members to attempt to resolve conflicts in a reasonable and responsible way. Fairleigh Dickinson University may, at the discretion of the dean of students or the dean's designee, require students to attempt to mediate the resolution of a complaint first through the mediation procedure before resorting to the traditional judicial process. Any complainant or respondent may request that the dean of students or his/her designee consider a complaint for referral to the mediation process.

2. Mediation requires acceptance from all students, in genuine cooperation with the process, that the students themselves know best how to resolve the dispute in question and that students will negotiate in good faith and in the spirit of Fairleigh Dickinson University.

3. The goals of mediation are to encourage active involvement, responsibility for mature decision making and personal growth as students resolve their own disputes.

4. In the event that the dean of students or his/her designee determines to require mediation of a particular complaint, the dean or designee will appoint the assistant dean of students for judicial affairs or other staff member as mediator. After a mediator has been appointed, the mediator will meet with all relevant individuals involved to assess the severity of the dispute. The mediator will help resolve concerns on an ad hoc and confidential basis.

5. If after reasonable efforts, the situation cannot be resolved by mediation in the opinion of the dean of students or his/her designee, the student or University may pursue the complaint through the usual procedures provided for in the Code of Student Rights, Responsibilities and Conduct.

I. Campus Standards Committee Hearings

1. While the assistant dean of students for judicial affairs or his/her designee will ordinarily hear cases involving alleged violations of the code, a Campus Standards Committee has the authority to hear cases involving alleged violations of the code under the following circumstances:

a) where the assistant dean of students for judicial affairs or designee has determined that, because of the nature of the alleged offense or because the pattern of behavior warrants special attention, suspension or dismissal may be the proper sanction if the charges are substantiated and

b) the accused student requests such a hearing or

c) the assistant dean of students for judicial affairs or designee has determined that due to the nature or complexity of the facts of the case, it would be beneficial to have a hearing before the Campus Standards Committee.

2. Students against whom charges are being lodged shall be notified of the date, time and place of a hearing, by

voice mail to pick up the letter in the Dean of Students Office, and/or in writing, delivered in person or by certified mail, at their campus mailbox or the last address on file with the Office of Enrollment Services, by the Dean of Students Office or the chairperson of the Campus Standards Committee no less than two days prior to the hearing. If all reasonable efforts to contact a student have failed, the committee and/or dean may proceed with a hearing four business days from when the initial effort to contact the student was made.

3. If, after due notice of the complaint and the date, time and place of hearing, the accused fails to appear and the Campus Standards Committee is satisfied that the accused had appropriate notice and no valid excuse for nonappearance, the Campus Standards Committee may then hold the hearing without the student being present.

4. Recommendations by the Campus Standards Committee that are to be submitted to the dean of students shall be determined in all cases by a simple majority vote.

5. The chairperson of the Campus Standards Committee shall ensure that there are enough committee members to conduct a hearing. The chairperson shall ascertain, prior to any hearing, whether any member(s) of the Campus Standards Committee has a particular bias or ethical conflict that would prevent rendering an objective recommendation. If such an ethical conflict or personal relationship exists, then the chairperson will direct the Campus Standards Committee member to excuse himself/herself from the case.

6. The chairperson shall inform the student of the charges and will ask the student to respond. The student may respond to each charge. (See XV. C.)

7. Any witness may be questioned by any party to the action and by any member of the Campus Standards Committee. This is to be done through the chair of the committee.

8. All information upon which the decision will be based must be introduced at the hearing.

9. The Campus Standards Committee will only hear or review supporting documents that are germane to the presented situation. Prior incidents that have been dealt with by the Campus Standards Committee are generally not relevant in the finding of responsibility; however, if the student is found responsible, the dean of students or his/her designee shall inform the committee of prior incidents where the student was found responsible. This information will be taken into consideration in the recommendation of sanctions.

10. **Circumstantial Evidence:** In certain instances the complainant or defendant will be unable to present witnesses who can testify based on their own direct knowledge that a certain event has occurred. It is not necessary that an entire case be made by direct evidence. Lacking direct evidence, circumstantial evidence may be used to prove certain facts. Here, circumstances are made known from which the hearing board, based on their common experience may infer that other connected facts reasonably follow.

11. **Hearsay Evidence:** Hearsay evidence is when someone reports that another person has witnessed or said something relevant to the case. Generally, hearsay evidence is inadmissible. However, in the following circumstances, hearsay may be admitted:

a) The statement subjects the witness to a liability that a reasonable person would not want to incur.

b) The statement narrates, describes or explains an event perceived by the witness.

c) The statement is made by a prior witness at the hearing and when so made was admissible.

12. Hearings will be closed. Students may not tape the hearing. A nonlegal adviser may be present from the FDU community. No family members or anyone outside the University may serve as an adviser. Witnesses may be present and will be called on an individual basis. (See XV. I. 7.)

13. The defendant has the right to remain silent without prejudice to the case.

14. The members of the Campus Standards Committee will deliberate in private. The Campus Standards Committee shall issue a written report determining findings of facts and their conclusions to the dean of students or the dean's designee. The Campus Standards Committee also will recommend sanctions to the dean of students or the dean's designee.

15. The defendant will be notified by voice mail to pick up the letter in the Dean of Students Office or by certified mail, at their campus mailbox or the last address on file with the Office of Enrollment Services, of the dean's decision with respect to the case within seven business days of the date on which the Campus Standards Committee's recommended action is forwarded to the dean of students for consideration.

16. The dean of students shall notify the chairperson of the Campus Standards Committee, in writing, as to the final disposition of the case.

17. The Office of the Dean of Students will notify appropriate departments as to the details of the sanction to the extent same is required to enforce the sanction.

J. Administrative Suspension and Extraordinary Circumstances

In exceptional circumstances, the University may have an obligation to act before a hearing can be held, or to postpone its own hearing in favor of some other course of action. In such cases, the following procedures may apply:

1. **Interim Suspension:** The University, through the dean of students, reserves the right to suspend any student whose behavior indicates that his or her continued presence constitutes a threat to property, to others or to himself or herself. Should the continued extracurricular activity of a student be deemed to be deleterious to the basic welfare of the campus community, the student may be suspended. A hearing will be held as soon as possible to determine the final outcome of the case, except where the University defers proceeding in light of pending civil claims or criminal charges as described in Section J. (2) Pending Criminal or Civil Proceedings, next column.

When, in judgment of University officials, there is reasonable basis to believe a student may have committed a crime of a serious nature, the student may be suspended on an interim basis for a period of 90 days in order to await the determination of the complainant and/or local government authorities as to whether criminal charges will be brought against the student. If criminal charges are not initiated within the 90-day period, a University hearing will be held as soon as possible. If criminal charges are initiated within the 90-day period, the provision of Section J. (2) Pending Criminal or Civil Proceedings shall apply.

In all such situations, the following shall apply:

a) the student will be notified in writing of the suspension and the reason for the action;

b) the student will be provided an initial determination by the dean of students or his/her designee prior to the suspension taking effect unless such a determination is impossible or unreasonably difficult to arrange;

c) the student may be required to undergo physical or psychological evaluation, the results of which may be used in subsequent determinations;

d) in the event of a violation of a prior imposed sanction, the dean of students shall have the authority to continue the sanction or take other appropriate measures, pending the outcome of new deliberations; and

e) a determination will follow an administrative suspension in accord with procedures established for a formal deliberation.

2. **Pending Criminal or Civil Proceedings:** The University may proceed under the Code of Student Rights, Responsibilities and Conduct regardless of possible or pending civil claims or criminal charges arising out of the same or other events. The dean of students, with the concurrence of the provost, after consulting with the general counsel, shall determine whether the University shall proceed with a case against a student who also faces related charges in a civil or criminal tribunal. If the University defers proceeding with a case against a student in light of related charges in a civil or criminal tribunal, the University may subsequently proceed under the Code of Student Rights, Responsibilities and Conduct irrespective of any time limitations set forth elsewhere in the code. In the event a student is suspended in accordance with this code's interim suspension provisions and the University defers proceeding under the conditions described in this paragraph regarding pending civil claims or criminal charges, the interim suspension may continue pending the outcome of the pending civil claims or criminal charges and the University's subsequent proceedings under the Code of Student Rights, Responsibilities and Conduct.

3. **Judicial Hold on Records:** At any time after a possible violation of the Code of Student Rights, Responsibilities and Conduct comes to the attention of the dean of students, the dean or designee may place a "judicial hold" on the academic records of a student in order to preserve the status quo pending the outcome of proceedings under the Code of Student Rights, Responsibilities and Conduct. A judicial hold may prevent, among other things, registration, the release of transcripts and the awarding of a diploma.

K. Student Organization Judicial Procedures

1. Students who choose to participate in student organizations are given a special trust. By choosing to represent the University as members of the organization, they commit to high standards of accountability with regard to that trust. Student organizations, their officers and their members may be held collectively or individually responsible for violations of the Code of Student Rights, Responsibilities and Conduct or the specific regulations governing student organizations. While group membership shall not serve to release an individual from personal responsibility, collective group responsibility may be found for some violations committed by individual group members, at the University's discretion.

2. When a student organization is charged with a violation of the Code of Student Rights, Responsibilities and Conduct, that student organization will be referred to the dean or assistant dean of students for judicial affairs and/or designee. The dean, assistant dean of students for judicial affairs or designee will explain the rights and options available as well as describe potential sanctions for the alleged violation in question. If necessary and applicable, the hearing officer will conduct a hearing in accordance with the Code of Student Rights, Responsibilities and Conduct. A Campus Standards Committee has the authority to hear cases involving alleged violations of the code by student organizations under the following circumstances:

a) where the hearing officer has determined that, because of the nature of the alleged offense or because the pattern of behavior warrants special attention, suspension or termination of recognition by the University may be the potential sanction if the charges are substantiated; and

b) the accused student organization, through its representatives, requests such a hearing; or

c) the hearing officer has determined that, due to the nature or complexity of the facts of the case, it would be beneficial to have a hearing before the Campus Standards Committee.

3. Student organizations in violation of University rules and regulations are subject to a maximum sanction of termination of recognition by the University, or any lesser sanction, including but not limited to, restriction or suspension of the privilege to sponsor and/or promote programs/events, the loss of funds allocated by the University or Student Government Association Financial Board, restitution for damages, loss of facilities use or a written disciplinary reprimand, warning or probation.

4. Athletic teams in violation of University policy are subject to the same rules and regulations as stated in Section K.

5. Greek organizations in violation of University policy are subject to a maximum sanction of termination of recognition from the University or any lesser sanction, including but not limited to, restriction or suspension of the privilege to sponsor and/or promote programs/events; the loss of funds allocated by the University, Student Government Association financial or Greek governing councils; or a written disciplinary reprimand, warning or probation. In all cases where applicable, the national sponsoring organization will be sent a written notification of sanctions imposed.

6. Student and Greek organizations and athletic teams have the right to appeal as outlined in the Code of Student Rights, Responsibilities and Conduct.

7. When a student or Greek organization or athletic team is charged with a violation of the Code of Student Rights, Responsibilities and Conduct, individuals of those organizations along with the president or captain may be held responsible for the group's or team's actions. The president or captain also will receive the charge and sanction letters for the organization.

L. The Rights of the Accused

1. The student has the right to be informed of the supporting documents against him or her.

2. The student has the right to have adequate opportunity to rebut the documentation.

3. The student has the right to present documentation on his or her behalf.

4. The student has the right to the assistance of an adviser of his or her choice. The adviser may not be an attorney, any individual who has had any prior legal training or education, a member of the student's family or anyone outside the FDU community.

5. The Campus Standards Committee shall at all times follow procedures that will assure a fair deliberation. This shall be conducted in such a manner as to be impartial and shall not be unduly restricted by the legal rules of procedure, evidence and/or discovery.

6. All deliberations shall be private to the Campus Standards Committee.

7. If two or more individuals are involved within the same complaint, individual hearings shall be permitted when requested by the student.

8. The fault for which a student is subject to punishment is a violation of a regulation clearly promulgated and apparent to the student.

M. Violation of Judicial Sanctions

Any student found in violation of sanctions (i.e., dean of students probation, etc.), prescribed from a prior judicial hearing, will be notified in writing of the offense and the appropriate listed action in the sanction will be automatically invoked. The student cannot appeal and does not necessarily have the right to a hearing.

N. Appeal of Judicial Actions

1. A student must base an appeal upon new documentation or violation of procedure.

2. To appeal a determination, the student must submit a written appeal to the dean of students within two business days of receipt of the assistant dean of students for judicial affairs' sanction letter.

3. Upon receipt of the appeal, the dean of students or his/her designee shall advise the assistant dean of students for judicial affairs that such an appeal has been filed. The assistant dean of students for judicial affairs shall then make the written report of the proceedings available to the dean of students.

4. The dean of students will determine whether to adjudicate an appeal and, if so, will render a decision within seven working days of receipt.

O. Request for Deferral of Sanctions

To request a deferral of implementation of the dean's or assistant dean of students for judicial affairs's sanction, the student must meet with the dean or dean's designee by 5 p.m. the business day after receipt of the sanction letter and present the request in writing. The dean's written decision will be available for the student to pick up from the dean's office by 5 p.m. the following business day. If the student does not pick up the deferral decision letter granting a deferral on the business day of the dean's decision, the initial sanction letter stands.

XVI. The Campus Standards Committee Guidelines

A. Membership of the Campus Standards Committee

The number of members on a Campus Standards Committee may differ from campus to campus, as may the process of selection. However, the committee membership does consist of students, faculty and professional staff as designated by the dean of students.

B. Procedures of the Campus Standards Committee

1. The case against the accused shall be evaluated on the basis of all the evidence and facts presented.

2. The Campus Standards Committee shall make all necessary guidelines, in the exercise of which responsibility the following guidelines shall apply: documentation must be relevant and of the kind upon which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law, court or statutory rule that might make improper the admission of evidence over objection in civil or criminal actions.

3. Confidentiality shall be maintained and cases are to be discussed only while the Campus Standards Committee is in session.

4. A record of the hearing shall be kept on tape or in writing. The record will be maintained in the Dean of Students Office.

5. Records of a hearing will be maintained for a period of seven years commencing upon the accused's graduation or severance from the University.

6. The case against the accused shall be presented first by the chairperson of the Campus Standards Committee. The chairperson shall offer evidence to the charges being considered. Witnesses may be called and evidence introduced.

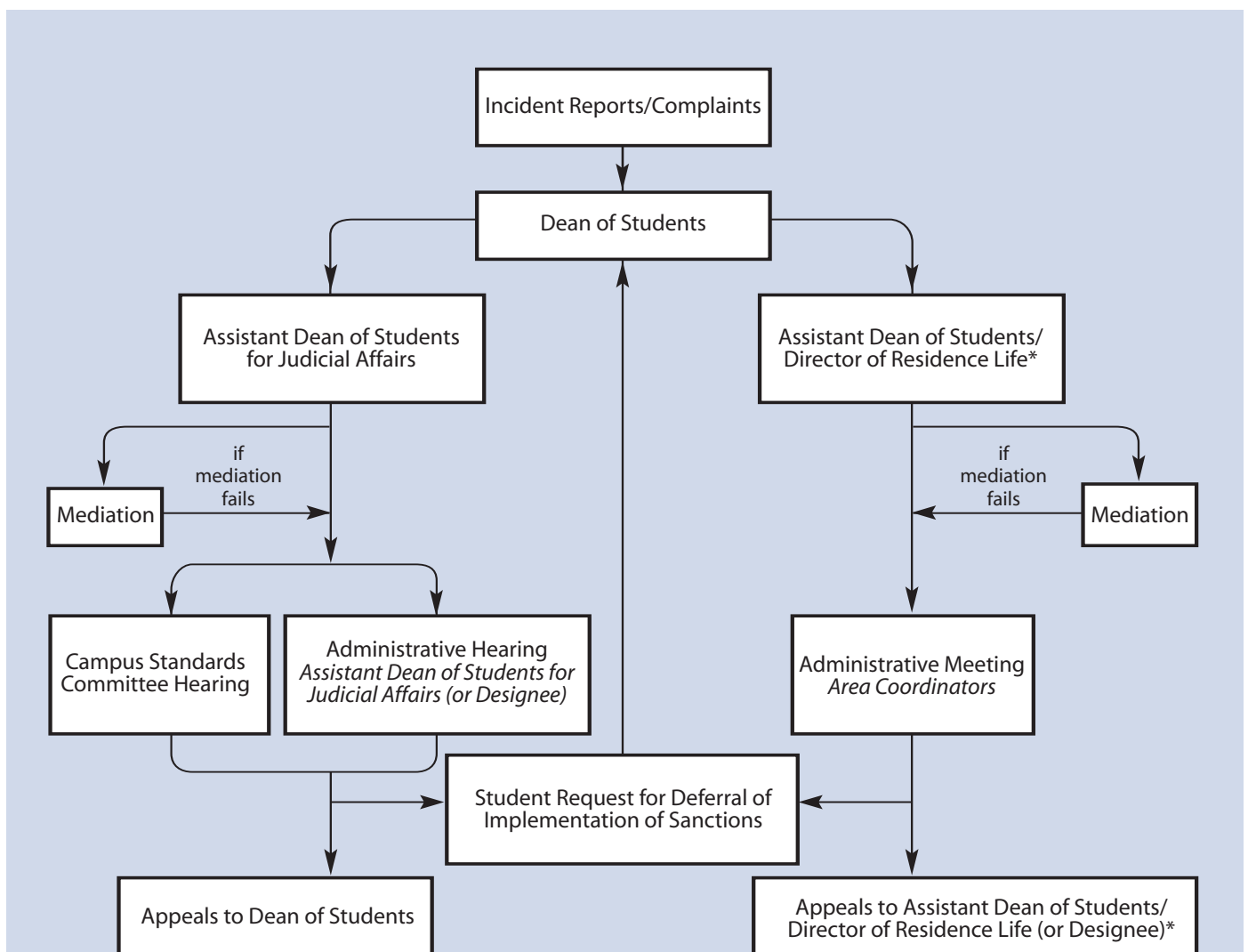
7. Upon completion of the presentation, the student shall present the defense.

8. The Campus Standards Committee chairperson, the accused and the party making the complaint may offer closing statements.

Family Educational Rights and Privacy Act (FERPA)

As a recipient of federal educational funds, Fairleigh Dickinson University is bound by the requirements of the Family Educational Rights and Privacy Act (FERPA). Subject to specified exceptions, the University is required to have a student's written consent before disclosing personally identifiable

XVII. Fairleigh Dickinson University Disciplinary System — College at Florham



* For specific violations of residence life community standards only.

information from a student's educational records to third parties. An educational record is information directly related to a student, which is maintained by the University or any individual on behalf of the University, in any recorded form. Grades, evaluations, financial records, class-attendance records and financial-aid records are common examples of educational records.

FERPA gives students a right to review and copy their educational records and to challenge any educational record for being inaccurate or misleading. The University must provide a hearing to any student who wishes to challenge an educational record on either ground. If the University grants the student's challenge, then it must amend the record in question. If the University does not grant the student's challenge, it must nevertheless allow the student to append a statement to the disputed record. The University maintains a log which identifies persons who have accessed a student's record. Students have a right to review logs.

FERPA does not require the University to have student consent to disclose personally identifiable information to parents of students who are listed as dependents on their

parents' federal income tax returns. In the event of a health or safety emergency, the University may disclose personally identifiable information, without student consent, if the information is needed to protect the health or safety of the student or other persons. The University may disclose to the parents of students below 21 years of age disciplinary action for illegal use or possession of alcohol or illegal drugs. FERPA requires the University to disclose the final outcomes of student disciplinary hearings, including sanctions, to victims of misconduct, if they so request, when the misconduct constitutes a crime of violence or a nonforcible sex offense.

FERPA allows the University to disclose students' directory information but requires the University to give students an opportunity at the start of each academic year to request that the University not disclose their directory information. Directory information is information such as name, address, telephone number, date of birth, dates of attendance, major field of study, class level, registered credits for the current term, major field of study, honors and awards, degree conferred, participation in sports and recognized activities.