

# ALFRED STATE COLLEGE



## STUDENT CODE OF CONDUCT

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Expectations for student behavior within the college community, including student rights, responsibilities, and the disciplinary process for addressing alleged violations.

2025-26



## **2025-2026 COMMUNITY STANDARDS:**

# **STUDENT CODE OF CONDUCT**

Alfred State is, first and foremost, an institution of learning and teaching committed to serving the needs of society. Our campus community reflects and is a part of a society comprising all races, creeds, and social circumstances. The successful conduct of the College's affairs requires that every member of the College community acknowledge and practice the following basic principles:

- We affirm the inherent dignity in all of us, and we strive to maintain a climate of justice marked by respect for each other. We acknowledge that our society carries within it historical and deep-rooted misunderstandings and biases, and therefore, we will endeavor to foster mutual understanding among the many parts of our whole.
- We affirm the right of freedom of expression within our community and affirm our commitment to the highest standards of civility and decency toward all. We recognize the right of every individual to think and speak as dictated by personal belief, to express any idea, and to disagree with or counter another's point of view, limited only by College regulations governing time, place, and manner. We promote open expression of our individuality and our diversity within the bounds of courtesy, sensitivity, and respect.
- We challenge and reject all manifestations of discrimination, including but not limited to unjust or prejudicial treatment based on race, color, national origin, religion, creed, age, disability, sex, gender identity, gender expression, sexual orientation, familial status, marital status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. This policy of nondiscrimination extends to admission, financial aid, housing, counseling, educational programs, athletic activities, and placement, as well as to all aspects of employment. We recognize and cherish the richness contributed to our lives by our diversity. We take pride in our various achievements, and we celebrate our differences.
- We recognize that each of us has an obligation to the community of which we have chosen to be a part. We will strive to build a true community of spirit and purpose based on mutual respect and caring.

## STUDENT CODE OF CONDUCT

### Office of Student Conduct & Community Standards

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## PRINCIPLES OF COMMUNITY

*As members of Alfred State, we choose to be part of an academic community dedicated to those principles that foster personal and professional integrity, civility, and inclusion.*

***We strive toward lives of personal integrity and academic excellence*** – *We will encourage in ourselves, and in one another, those responsible actions that lead to lives of productive work, personal enrichment, and useful citizenship in an increasingly interdependent world.*

***We commit to treat one another with civility*** – *Recognizing that there will be differences of opinion, we will explore these differences in a courteous and forthright manner, always acknowledging individual rights to freedom of expression and association.*

***We support inclusion*** – We encourage those of all cultures, orientations, and backgrounds to understand and respect one another in a safe and supportive educational environment.

This set of principles set forth by the College is supported by policies, including the Student Code of Conduct and the Policy on Academic Integrity.





## **NONDISCRIMINATION NOTICE**

Alfred State College hereby advises students, parents, guardians, employees, and the general public that it offers employment and educational opportunities, including career and technical educational opportunities, without regard to an individual's race, color, national origin, religion, creed, age, disability, sex, gender identity, gender expression, sexual orientation, familial status, marital status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. Employees, students, applicants, or other members of the college community (including, but not limited to, vendors, visitors, and guests) may not be subjected to harassment that is prohibited by law or treated adversely or retaliated against based on a protected characteristic.

Alfred State's policy is in accordance with federal and state laws and regulations that prohibit discrimination and harassment. These laws include the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972, and the New York State Human Rights Law.

Alfred State College does not discriminate on the basis of sex and prohibits sex discrimination in all educational programs and activities that it operates, as required by Title IX of the Education Amendments of 1972 and its regulations, including those related to admission and employment.

Inquiries about Title IX may be referred to the Alfred State College Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. Grievance procedures are available by contacting either of the compliance officers/coordinators listed below:

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# TABLE OF CONTENTS

<b>PRINCIPLES OF COMMUNITY</b>	iii
<b>POLICY OF NONDISCRIMINATION</b>	iv
<b>PREAMBLE</b>	1
<b>STANDARDS FOR THE CONDUCT OF STUDENTS</b>	1
<b>OFFENSES AGAINST THE NYS PENAL LAW</b>	3
<b>INTERIM SUSPENSION</b>	3
<b>REGULATIONS</b>	4
Alcoholic Beverages	4
Drugs	7
Minimum Sanction and Special Conditions Grids (alcohol and drug violations)	8
Disorderly and Irresponsible Conduct	9
Demonstrations and Public Gatherings	13
Sexual Misconduct, Bias-Related Harassment, Dating/Domestic Violence & Stalking	14
Residential Hall Regulations & Policies	18
Fire Safety	19
Firearms, Ammunition, Knives, and Dangerous Weapons	20
Arson, Fireworks & Explosives	21
Gambling	21
Assault, Bullying & Harassment	22
Theft and Possession of Stolen Property	22
Motor Vehicles	23
The Conduct of Organizations	23
Hazing Regulations	24
Computer Misuse & Fraud	26
<b>ADMINISTRATION OF THE CONDUCT CODE</b>	26
Reporting Code of Conduct Violations	26
Routing Disciplinary Cases	26
• Routing Code Violations (Table)	27

Notification of Disciplinary Charges	28
Initial Conferences	28
• Rights of Students Accused of Violating College Regulations	29
Disciplinary Hearing Bodies	29
• Residential Hearings	29
• Administrative Hearings	30
• Student Conduct Committee Hearings	30
• Sexual Harassment Hearings	30
• Organizational Conduct Hearings	30
Order of Business for Disciplinary Hearings	32
Basis for Findings: Standard of Evidence	32
Sanctions and Special Conditions	33
• Types of Sanctions	33
• Types of Special Conditions	34
Appeals	36
Transcript Notation Policy	36
Ineligibility of Refunds	37
<b>OTHER ADMINISTRATIVE ACTIONS</b>	37
Parental/Guardian Notification Guidelines	37
Records	38
<b>APPENDICES</b>	
Appendix A Sexual Violence Victim/Survivor Bill of Rights	40
Appendix B Sexual Violence Response Policy	41
Appendix C Options for Confidentially Disclosing Sexual Violence	45
Appendix D Anti-Hazing Policy and Procedure	49

## PREAMBLE

To enter Alfred State is to accept an invitation to participate in the growth and development of a “community marked by freedom, mutual respect, and civility.” Choosing to become a member of this community implies a commitment to an open dialogue about the fundamental human questions at the heart of higher education and a responsibility to maintain an environment in which this dialogue can occur. Respect for the dignity, integrity, well-being, and property of others is essential to the maintenance of the Alfred State community.

Alfred State, a community comprised of students, faculty, staff, and administrators, recognizes the need to establish a student code of conduct that contains rules and regulations to guide student actions and to define the penalties that are to be imposed when these rules and regulations are violated. Responsibility for the administration of these rules/regulations is divided among these three groups, which are charged with adherence and enforcement. The College, through its Student Code of Conduct, seeks to establish in its students a sense of responsibility to themselves and to others who are citizens of the entire College community. The College expects that all students will consider other individuals and their rights to an environment that is conducive to academic achievement and personal growth.

It is the policy of Alfred State to ensure that the rights of an individual guaranteed by state laws and the U.S. Constitution are protected for all citizens regardless of their race, color, national origin, religion, creed, age, disability, sex, gender identity, gender expression, sexual orientation, familial status, marital status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction. When such rights are infringed upon by violence, threats, or other harassment, the College will use every necessary resource to rapidly and decisively identify perpetrators for criminal and/or administrative action.

The Student Code of Conduct is a document designed to foster a community conducive to achieving the mission of Alfred State. The opportunity to participate in this academic community requires individual responsibility. *By voluntarily choosing to affiliate with the College, students indicate knowledge and acceptance of the expectations outlined in the Student Code of Conduct.*

## STANDARDS FOR THE CONDUCT OF STUDENTS

The College expects its students to act with integrity. Dishonesty, fraud, and failure to respect the rights of others cannot be tolerated in a community that is dedicated to the development of responsible individuals.

A student will be subject to College disciplinary action for violation of the following codes of conduct:

- Academic Integrity Policy
- Student Code of Conduct
- Civil or Criminal Law

Students as defined here include residential students, commuter students, part-time students, full-time students, and online students. Failure to comply with these policies can result in disciplinary action.

The Student Code of Conduct prescribes standards for the conduct of students on and off the campus (including minors in possession of alcohol, providing alcohol to minors, disorderly/disruptive conduct, drug sale, and any activity off campus that is considered an act of violence). Many of these regulations are similar to federal and state statutes; therefore, a violation of the Student Conduct Code may concurrently represent a violation of a civil statute. The College and civil jurisdictions are considered independent, each based on its separate, distinct needs. Thus, both criminal and College proceedings could result from the same violation. *Civil or criminal action before or after College action shall in no way alter the College proceedings or findings, nor provide any right to immunity from the College jurisdiction.*

Generally, the College's jurisdiction for addressing student misconduct applies to incidents that occur on campus property and at College-sponsored events and activities. The College may also exercise its right to impose disciplinary charges against students and student organizations for inappropriate behavior that occurs off campus if such behavior violates penal law and/or is deemed to have the potential to adversely affect or endanger (a) the College community or (b) the interests or mission of the College. College authorities shall expedite disciplinary proceedings, recognizing the advantages of a prompt hearing in the event of alleged infractions, while ensuring due process.

Behavior causing serious personal endangerment may subject a student to immediate suspension pending a hearing as outlined in the section of the code titled "Interim Suspensions & Emergency Removal."

All student members of the Alfred State community have certain rights. These include:

- The right to learn, which includes the right of access to ideas, the right of access to facts and opinions, the right to express ideas, and the right to discuss those ideas with others.
- The right to be treated as an individual member of the community, which includes the right to be free of discrimination based upon race, color, national origin, religion, creed, age, disability, sex, gender identity, gender expression, sexual orientation, familial status, marital status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, and the right to be free from harassment.
- The right to peaceful coexistence, which includes the right to be free from violence, force, threats, and abuse, and the right to move about freely.
- The right to be free of any action that unduly interferes with a student's rights and/or learning environment.
- The right to express opinion, which includes the right to state agreement or disagreement with the opinions of others and the right to an appropriate forum for the expression of opinion.
- The right to privacy.
- The right to have access to a process through which to resolve deprivations of rights and, in the case of disciplinary procedures, the right to be informed of any charges of misconduct, the right to adequate time to prepare a response to the charges, the right to hear evidence in support of the charges, the right to present evidence against the charges, the right to an adviser, the right to a fair procedure which is appropriate to the circumstances, and the right to be informed of the outcome of any proceeding.

All student members of the Alfred State community (including residential, commuter, full-time, part-time, and online students) have certain responsibilities to the Institution and its members. These include:

- Respect for the rights of others, which includes the obligation to refrain from conduct that violates or adversely affects the rights of other members of the Alfred State community.
- The obligation to refrain from conduct in the general community that adversely affects the College community.
- The obligation to refrain from interfering with the freedom of expression of others
- The responsibility for the avoidance of force, violence, threat, or harassment.
- The responsibility for the avoidance of disruption. Certain kinds of conduct can convert the expression of opinion into disruption.
- The responsibility for compliance with state, federal, and municipal laws and regulations. Student members of the Alfred State community must be aware that they continue to be subject to the obligations of all citizens while they attend college. The College is committed to the observance of the law. There is no immunity on its campus from the prohibitions of local, state, and federal law regulating the use of drugs, alcohol, or motor vehicles. Violations of the law in the surrounding community injure the College, just as it does other citizens who reside there.
- The obligation to ensure that the conduct of others who come to the College through a student's invitation or permission complies with the rules and regulations of the College.
- The obligation to respect the environment of Alfred State, which includes respect for the physical features of the campus and its facilities, and the special needs of an institution of learning, such as quiet and privacy.
- The obligation to provide proper identification whenever requested to do so by a representative of the College. All students are expected to always carry their Alfred State College identification card.
- The responsibility to cooperate with College officials in the performance of their duties.
- The responsibility to respect the values and traditions of Alfred State as an institution of higher education.



## **OFFENSES AGAINST THE NYS PENAL LAW**

All students are subject to the NYS Penal Law. Any violation of the NYS Penal Law, whether occurring on or off campus, may be processed as a violation of the Student Code of Conduct. All felonious acts allegedly or verifiably committed while enrolled at Alfred State will be processed as a violation of the Code of Conduct.

## **INTERIM SUSPENSION & EMERGENCY REMOVAL**

When the vice president for student affairs (or designee) judges that the continued presence of a student may pose a danger to the College community, the vice president for student affairs (or designee) may suspend the student immediately, pending a disciplinary review/hearing, if there is reasonable cause to believe a violation has occurred and the student charged was the violator. The vice president (or designee) will inform the student in writing, by personal delivery, or if this is not possible, by mail to the student's usual place of residence or to a place where the student is currently being held, observed, or assisted (e.g., police station, jail, emergency room, medical facility, etc.).

A student placed on an interim suspension or emergency removal may request a review, in writing, to challenge the basis for the suspension. The vice president for student affairs will consider the reliability of the information concerning the alleged conduct, including the identification of the student. The vice president will also consider whether the alleged conduct and surrounding circumstances reasonably indicate that the continued presence of the student poses a threat to others or the stability and continuance of normal College functions. A written response will be provided to the student through their Alfred State email account.

The notice of interim suspension/emergency removal will list the Student Code of Conduct violations that the student is alleged to have committed. A student placed on an interim suspension status is not permitted to attend classes, submit coursework, or take exams. In addition, a student on interim suspension may not reside in campus housing, be present on College property, or attend any College-sponsored event. Failure to observe these restrictions may result in arrest for criminal trespass and/or additional disciplinary charges. When this administrative action is taken, a student is required to relinquish his/her room key(s), student ID card, and any other College property in his/her possession. The College will not reimburse a student for any expenses incurred (e.g., hotel or food costs) during the interim suspension period.

A disciplinary hearing will be conducted within a reasonable time, but may be delayed due to such factors as:

1. Time of academic year.
2. Availability of witnesses (especially any injured party),
3. Whether criminal charges are pending or an investigation is ongoing.
4. Incarceration of the respondent.

If, following the disciplinary process, the student receives an outcome that permits them to resume their studies at the College, they will be permitted to make up any missed coursework. However, this accommodation only applies to the time absent which was under the control of the College. If the student was unavailable or otherwise delayed the process after the College was ready to proceed, the opportunity to make up the missed coursework during that additional period of absence will not be guaranteed.

## REGULATIONS

### Section One – ALCOHOLIC BEVERAGES

**Introduction:** Alfred State students are expected to comply with local, state, and federal laws relating to the use of drugs and alcohol. The College will not tolerate conduct that disrupts the campus and the academic or residential environment. The College values its relationship with the Village of Alfred and recognizes the right of its neighbors to be secure from abusive conduct caused by illegal use and/or irresponsible use of drugs and alcohol on and off campus.

Alfred State has established a clear, concise policy relating to the illegal use of alcohol and drugs. The use, possession, sale, or distribution of any controlled substance, the use, sale, possession, or distribution of alcohol by anyone under the age of 21, and the unauthorized possession of any central alcohol source (e.g., kegs, beer balls, punch bowls, etc.) by students on the Alfred State campus or in the course of College activities are prohibited.

Many offenses against people and property committed at Alfred State are a direct result of alcohol use/abuse. Such high-risk behavior is unacceptable to the student population and community at large.

**Philosophy and Rationale:** The Alfred State community is acutely aware of the problems that commonly result from alcohol consumption. Alcohol addiction, disruptive and destructive behavior, and the wasting of individual health and talents are perils that require recognition and preventive measures. Regardless of age, any individual who consumes alcohol to a level where they place themselves or others in harm's way is engaged in high-risk behavior. High-risk behaviors are dangerous and antithetical to a community committed to safety, learning, and respect. When the College is notified of student misconduct regarding alcohol misuse or abuse off campus, it may also choose to hold the student accountable through the campus disciplinary process. College policies and regulations reflect these concerns and should serve to remind potential offenders of the likely consequences.

The purpose of the College is two-fold: It must provide the best possible opportunity for learning, and it must create an environment conducive to personal growth. These goals are hindered by alcohol abuse. Student drinking patterns that interfere with the accomplishment of College goals are unacceptable and shall be cause for disciplinary action ranging from disciplinary warning to disciplinary suspension. Students who are mandated by the hearing process to attend an alcohol assessment or an alcohol and drug education program and fail to complete these programs as required will be subject to further disciplinary action, which may include dismissal from the College.

**Overview:** The information that follows serves as a sanctioning guideline used when addressing on- and off-campus violations of the College's Community Standards involving alcohol. Sanctions may be less or more severe depending on the circumstances of the incident and consideration of any prior disciplinary record. To list all those acts that might constitute unacceptable conduct is impossible; however, student participation in any of the actions below or other potentially serious violations of College policy may warrant disciplinary action.

**Personal Accountability and Responsibility:** Students who are of legal drinking age and choose to consume alcohol are expected to limit their use so as not to interfere with their ability to act responsibly. Impairment from the use of alcohol does not diminish personal responsibility for one's actions and behavior. If a student violates another policy (e.g., non-compliance with College officials, law enforcement, and emergency personnel, destruction of property, assault, tampering with fire safety equipment, etc.) while under the influence of alcohol, the individual is subject to disciplinary action for all violations that may have occurred.

**Philosophy and Rationale for 21 and Over:** The College permits persons of legal age to possess and consume alcoholic beverages in its College-administered housing units within the limits detailed below.

- 1.1 Alcohol Possession/Consumption:** Persons under the age of 21 shall not consume or have in their possession alcoholic beverages on or off campus. Possession of alcoholic beverages without proper authorization in any building, on any property owned or controlled by the College, and/or is a violation of campus policy, local, state, or federal law is prohibited.

Range of Sanctions: *Disciplinary Warning to Suspension*

**Information:** The following list itemizes types of alcohol possession violations of College policy, and local, state, or federal laws:

- Drinking/possession of alcoholic beverages by any student or student organization while riding in state, College-owned or facilitated, Student Senate, and ACES-owned/operated vehicles, or personal vehicles is prohibited.
- Persons of legal drinking age shall not consume or have in their possession an open container (seal broken) of alcoholic beverage outside their room or a lounge designated as 21 years of age or older and where consumption of alcohol is permitted. In designated residential lifestyle for 21 or older, students must keep all alcohol behind a lockable suite door and/or rooms within the area designated as 21 or older.
- Large containers/amounts of alcohol (e.g., kegs, half-kegs, quarter-kegs, beer balls, or punches) are not permitted on campus and are subject to confiscation regardless of the age of the person in possession.
- Operating a motor vehicle under the influence of alcohol is prohibited.
- The College policy permits the use of alcohol in moderation for those of state-mandated legal age but denounces excessive consumption. Those who consume alcoholic beverages must remain in control of their behavior, respect the rights of others, and shall be held responsible for their actions. Promotions that encourage the consumption of alcohol are prohibited.

It is the responsibility of all students of legal drinking age (i.e., 21 and over) to have proof of age for anyone consuming alcohol in their presence. For a student's protection, this may require asking for a current driver's license, New York State Identification Card, or original birth certificate.

See the table *Minimum Sanctions for Alcohol and Drug Violation* on pages for additional information regarding sanctioning.

- 1.2 Alcohol intoxication:** Being intoxicated due to the level of consumption of alcohol, where students have placed themselves or others in harm's way, or are experiencing significant difficulty functioning physically, is not permitted.

Range of Sanctions: *Disciplinary Warning to Suspension*

**Information:** Any student, regardless of age, may be charged with a violation of this regulation. Examples of alcohol intoxication include students transported to the hospital for alcohol consumption, students found passed out in College facilities, on College property, or at College-sponsored events, students exhibiting a significant level of incoherent behavior (e.g., driving while intoxicated, vomiting because of alcohol consumption, disorderly behavior). Students can also be charged with a violation of this regulation for their conduct off campus. Past violations have resulted in disciplinary outcomes that include a mandatory substance abuse assessment, denial of campus residency, participation in intensive inpatient treatment programs while the student is suspended, and the possibility of arrest and prosecution under local, state, or federal laws.

See the table *Minimum Sanctions for Alcohol and Drug Violations* for additional information regarding sanctioning.

- 1.3 Hosting/Providing Alcohol to Minors:** As a violation of campus policy and state law, providing alcohol to minors, regardless of the age of the person providing, is prohibited. Students of any age who are found responsible for allowing minors to consume or possess alcohol in their room, suite, or lounge will also be considered in violation of this regulation

Range of Sanctions: *Disciplinary Probation to Suspension*

**Information:** Individual student conduct – Students may also be charged disciplinarily for conduct off campus if they provide alcohol to minors. Past violations have led to individual student arrests and campus disciplinary outcomes that have included denial of campus residency and suspension.

Students of any age found responsible for permitting the consumption/possession of alcohol by minors (whether in their room, suite, lounge, at a campus location, at an off-campus location, in their vehicle, or a College-sponsored event) will be in violation of this section. Violators of this regulation will receive a higher sanction than those found responsible for the consumption/possession of alcohol as minors.

Student organization conduct – Student organizations can also be charged with a violation of this regulation if the College is informed that the student organization has violated federal, state, or local laws or their actions (a) represent disorderly conduct or (b) pose a direct harm or threat to themselves or another person (e.g., providing alcohol resulting in intoxication of another; consumption of alcohol by minors on the premises). Past violations of this regulation have resulted in organizational probation, organizational suspension, and denial of housing waiver privileges as a Greek organization.

Administration of Severe Incidents: When an individual provides alcohol to another where a level of significant alcohol intoxication occurs, the matter will be heard by the Student Conduct Committee.

See the table *Minimum Sanctions for Alcohol and Drug Violations* for additional information regarding sanctioning.

#### **1.4 Drinking Games:**

Any activity in which an individual's consumption of alcohol, either in whole or in part, is determined by chance, skill, or some other external variable that accelerates alcohol consumption is prohibited. Examples include beer pong, flip cup, quarters, funneling & keg stands.

Range of Sanctions: *Disciplinary Probation to Suspension\**

**Information:** It is prohibited for Individuals or groups to host, sponsor, or allow drinking games or contests where alcohol is being consumed in their rooms, suites, lounges, or off-campus residences. If an individual is harmed as a result of this behavior, the minimum sanction that a host may receive is Disciplinary Suspension.

See the table *Minimum Sanctions for Alcohol and Drug Violations* for additional information regarding sanctioning.

## Section Two – DRUGS

**Philosophy and Rationale:** The use and possession of drugs\* may have disruptive consequences that interfere with the educational mission and general welfare of the College community. Because of the potential danger of these substances, the College prohibits the use, possession, distribution, or sale of illegal and unprescribed drugs. In addition, the use of any controlled substances or commercial products contrary to the manufacturer's directions or warnings to induce intoxication or similar physiological effects is prohibited. When the College is notified of student misconduct regarding drug use or sale *off* campus, it may hold the student accountable through its disciplinary process.

In April of 2021, New York State legalized the use and possession of cannabis for adults 21 and older with some restrictions (see [NYS Penal Law article 222](#)). Despite this change to state law, marijuana remains an illegal substance under federal law. The Drug-Free Schools and Communities Act requires institutions of higher education receiving federal funds (e.g., financial aid) to implement a program to, "prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees." In accordance with the act, Alfred State prohibits the use and possession of drugs, including cannabis, and addresses alleged student violations through the College's disciplinary system.

\*Definitions: The term "drugs" includes any controlled substance listed under [Title 21 Code of Federal Regulations](#) or [Section 220.00](#) of the NYS Penal Law.

**2.0 Drug Use & Possession:** The illegal use or possession of drugs or un-prescribed drugs constitutes an illegal act and will be subject to disciplinary action independent of other actions taken by civil authorities. All persons present in an area where they know un-prescribed drugs are being used or illegally possessed will also be subject to disciplinary action.

Range of Sanctions: *Disciplinary Warning to Suspension*

**Information:** The following list itemizes types of drug violations under College policy, local, state, or federal laws:

- Hosts (residents of the room/suite or owner/operator of a vehicle) present where un-prescribed drugs are being used or illegally possessed are also responsible for the behavior occurring in their residence.
- Use/possession of or being in the presence of un-prescribed drugs on or off campus is prohibited.
- Drug paraphernalia (e.g., bongs, pipes, hookahs, other smoking devices) is not permitted on campus.
- Operating a motorized vehicle under the influence of a drug is prohibited.

See the table *Minimum Sanctions for Alcohol and Drug Violations* for additional information regarding sanctioning.

**2.1 Drug Misuse & Intoxicants:** The use of any drug other than in the manner prescribed or directed by the manufacturer, as with over-the-counter medications, is prohibited. In addition, the use of any commercial product contrary to the manufacturer's directions or warnings to induce intoxication or similar physiological effects is prohibited.

Range of Sanctions: *Disciplinary Warning to Suspension*

**Information:** If a respondent discloses that they are struggling with an addictive disorder, special consideration may be given to the sanction imposed. To receive a sanction or outcome outside of the established guidelines, the

student must be willing to disclose their disorder to Health & Wellness Services staff and comply with any recommended treatment.

See the table *Minimum Sanctions for Alcohol and Drug Violations* for additional information regarding sanctioning.

**2.2 Drug Sale:** The manufacture, distribution, sale, or offer for sale of any illegal drug or un-prescribed drug, or unauthorized use of prescription drugs is prohibited.

Range of Sanctions: *Disciplinary Suspension* to *Expulsion*

**Information:** Students who give drugs to others are considered to be involved in the distribution of drugs and, as such, have been charged with drug sale and have also been charged criminally. Possession of scales in conjunction with drugs may be viewed as evidence of drug sales.

See the table *Minimum Sanctions for Alcohol and Drug Violations* for additional information regarding sanctioning.

### Minimum Sanctions for Alcohol and Drug Violations

In compliance with the Drug-Free Schools Act, the College has established minimum sanctions for the first, second, and third alcohol and drug offenses. Higher or additional sanctions can be imposed if deemed appropriate.

Violation	First Offense Minimum Sanctions	Second Offense Minimum Sanctions	Third Offense Minimum Sanctions
<b>1.1 Alcohol Possession/Consumption</b>	<ul style="list-style-type: none"> <li>Disciplinary Warning</li> <li>Mandated alcohol education/intervention (Level 1)</li> </ul>	<ul style="list-style-type: none"> <li>Disciplinary Probation</li> <li>Mandated alcohol education/intervention (Level 2)</li> </ul>	<ul style="list-style-type: none"> <li>Deferred Suspension</li> <li>Mandated alcohol education/intervention (Level 2)</li> </ul>
<b>1.2 Alcohol Intoxication</b> <b>1.3 Hosting/ Providing Alcohol to Minors</b> <b>1.4 Drinking Games</b>	<ul style="list-style-type: none"> <li>Disciplinary Probation</li> <li>Mandated alcohol education/intervention (Level 1)</li> </ul>	<ul style="list-style-type: none"> <li>Deferred Suspension</li> <li>Mandated alcohol education/intervention (Level 2)</li> </ul>	<ul style="list-style-type: none"> <li>Disciplinary Suspension</li> <li>Mandated completion of substance abuse treatment before being eligible to re-enroll.</li> </ul>
<b>2.0 Drug Possession</b>	<ul style="list-style-type: none"> <li>Disciplinary Warning</li> <li>Mandated drug education/intervention (Level 1)</li> </ul>	<ul style="list-style-type: none"> <li>Deferred Suspension</li> <li>Mandated drug education/intervention (Level 2)</li> </ul>	<ul style="list-style-type: none"> <li>Disciplinary Suspension</li> <li>Mandated completion of substance abuse treatment before being eligible to re-enroll</li> </ul>
<b>2.2 Drug Sale</b>	<ul style="list-style-type: none"> <li>Disciplinary Suspension</li> <li>Mandated completion of substance abuse treatment before being eligible to re-enroll</li> </ul>	<ul style="list-style-type: none"> <li>Disciplinary Expulsion</li> </ul>	

Students who are suspended must complete their alcohol & other drug assessments before re-enrollment.

## Section Three – DISORDERLY AND IRRESPONSIBLE CONDUCT

**Philosophy and Rationale:** The College and its students have a responsibility to provide an environment that enhances the quality of life in the community and is conducive to academic achievement. Therefore, any behavior that jeopardizes the safety of others and the rights of persons and property, or any conduct that is not consistent with this environment, is prohibited. In all circumstances, common courtesy should be exercised. Restitution may be assessed in appropriate situations in addition to disciplinary action. The following behaviors directed toward others are strictly prohibited and may subject individuals to disciplinary action and possible civil or criminal prosecution.

**3.1 b. Maintenance of Public Order:** Alleged violations of any law (federal, state, or local) or local ordinance are actionable under this section when a student's conduct interferes with the College's exercise of its educational objectives or responsibilities to its members, whether on or off campus, or when such a violation of the law has or may have an adverse impact upon the College community.

Range of Sanctions: *Disciplinary Probation to Expulsion\**

**Information:** Classroom misconduct – Students have also been charged with a violation of this regulation when their behavior in a classroom or academic activity disrupts or interferes with the ability of the instructor to maintain an academic environment that supports ongoing instruction and/or fosters learning.

Off-Campus misconduct – Students may also be charged with a violation of this regulation for conduct off campus if their behavior (a) is considered disorderly (b) poses a direct threat to another person, (c) is a felonious act, or (d) is disruptive to another student's educational pursuit (reference to Title IX). Students have a responsibility to conduct themselves as good citizens in our local communities. Inappropriate behaviors such as public urination, public intoxication, and disruptive conduct to neighbors, such as yelling or playing loud music, are considered disorderly. These types of misconduct can have a detrimental impact on the College community and can carry sanctions that include, in some instances, dismissal from the College.

\*In addition, any individual or recognized group that charges an admission fee, sells a cup, or has any exchange of money at an event where alcohol is consumed is prohibited. If found responsible for an allegation of this nature, the minimum sanction that may be imposed is Disciplinary/Organizational Suspension.

**3.1 c. Disorderly Conduct (disruptive or destructive):** Conduct, which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace, is prohibited. Such conduct includes but is not limited to disruption or obstruction of teaching, research, administration, or other College activities. Horseplay is prohibited. All official campus postings and notices must be observed.

Range of Sanctions: *Disciplinary Warning to Suspension*

**3.2 a. Vandalism & Destruction of Property:** Inciting to action, participation, and intentionally or recklessly, but not accidentally, damaging, destroying, or defacing the property of another is prohibited.

Range of Sanctions: *Disciplinary Warning to Expulsion*

**3.2 b. Tampering:** Misuse or unauthorized use of any equipment or property of another is prohibited.

Range of Sanctions: *Disciplinary Warning to Suspension*

- 3.4 a. Misrepresentation:** No student shall speak in the name of the College or for any of its organizations unless authorized by the College or by the organization for which they are speaking.

Range of Sanctions: *Disciplinary Warning to Suspension*

- 3.4 b. Fraud:** Furnishing false information to the College, including but not limited to forgery, alteration, or misuse of, among other things, College documents or records, is prohibited.

Range of Sanctions: *Disciplinary Warning to Suspension*

- 3.5 a. Failure to Comply with Disciplinary Decisions or Administrative Actions:** Failure to comply with any disciplinary special condition/sanction imposed by any judicial body or administrative hearing officer is not permitted. Students can also be charged with a violation of this regulation if they do not comply with a “no contact” order imposed by an administrative officer of the College.

Range of Sanctions: *Progressively Increasing Sanctions*

- 3.5 b. Failure to Comply with Official Requests:** Failing to comply with legitimate, reasonable, and lawful requests or directions by members of the faculty and administrative staff, other employees of the College, or officially recognized volunteers acting in accordance with their official College duties is prohibited.

Range of Sanctions: *Disciplinary Warning to Suspension*

**Information:** For example, past penalties have included suspension for failure to comply with a sanction of disciplinary probation. This includes special conditions such as revocation of visitation privileges, community restitution, attendance at alcohol education programs, and educational assignments. Failure to appropriately respond to requests or comply with directives issued by authorized College representatives in the performance of their duties and responsibilities will be subject to disciplinary actions. Authorized College representatives can include University Police, resident assistants, office managers, house managers, facility managers, club advisers, lab proctors, staff, and administrative office personnel.

- 3.5 c. Judicial System Disruption:** Any act(s) by a person(s) that inhibits or disrupts the College student conduct process including but not limited to a) falsification or misrepresentation of information before a hearing panel or any judicial officer/administrator, b) disruption or interference with the orderly conduct of a judicial proceeding, c) knowingly initiating a judicial proceeding without cause, or d) attempting to discourage an individual’s proper participation in, or use of, the judicial system.

Range of Sanctions: *Disciplinary Probation to Expulsion*

- 3.6 Quiet Hours:** Failure to comply with residence hall quiet hours, courtesy hours, and *intensive study hours* will be subject to disciplinary action. Disturbances occurring outside of the residence halls that negatively impact the living/learning environment will result in disciplinary action.

Range of Sanctions: *Disciplinary Warning to Probation*

**Information:** See the Residential Life *License for Residence* for the definition of the terms quiet, courtesy, and intensive study hours.



- 3.6 a. Noise Disturbance:** Disturbing the peace or creating a noise disturbance that includes but is not limited to quarreling and shouting in or outside of residential facilities is prohibited.

Range of Sanctions: *Disciplinary Warning to Suspension*

**Information:** Each of the residence halls sets community standards for maintaining a healthy balance between the pursuit of academic success and the importance of socialization and learning in a residence hall environment. Penalties for violation of these regulations include denial of campus residency and/or visitation, and relocation.

- 3.7 Fire Code Capacities:** The number of people at any time in any residential hall area may not exceed the published or posted fire code capacities. The fire code capacity is nine (9) individuals per room/suite/lounge.

Range of Sanctions: *Disciplinary Warning to Probation*

- 3.8 a. Window Screens:** The removal or opening of any residence hall screen is prohibited.

Range of Sanctions: *Disciplinary Warning to Probation*

- 3.8 b.** Throwing objects from any window or being on any campus building roof is prohibited.

Range of Sanctions: *Disciplinary Warning to Probation*

- 3.8 c.** Dartboards (other than magnetic) are not allowed in the residence halls.

Range of Sanctions: *Disciplinary Warning to Probation*

- 3.8 d. Hall Sports:** Activities such as, but not limited to, the use of skateboards, rollerblades, hockey equipment, and bicycles in the residence halls are prohibited. In addition, playing sports inside the residence halls is not allowed. Such activities include, but are not limited to, football, bowling, golf, and basketball.

Range of Sanctions: *Disciplinary Warning to Probation*

- 3.8 e.** Leaning, sitting, or standing out on a window ledge is prohibited.

Range of Sanctions: *Disciplinary Warning to Probation*

- 3.8 f. Light Fixtures:** Black light bulbs are not permitted in any state-owned light fixtures. Modification to any state-owned fixtures is prohibited.

Range of Sanctions: *Disciplinary Warning to Probation*

- 3.9 Identification:** Not providing College or other proper identification upon request by an authorized College official is prohibited. Possession/use of forged identification or identification issued to another person is also prohibited.

Range of Sanctions: *Disciplinary Warning to Probation*

- 3.10 Room Responsibility:** Rooms may not be used by any person(s) without a resident of the room present. Each resident is responsible for any activity that occurs in their room.

Range of Sanctions: *Disciplinary Warning to Probation*

- 3.11 Pets:** Fish, except piranha, are the only pets allowed in the residence halls. No resident shall have or harbor unauthorized pets or other wild or domestic animals in the residence halls. Fish tanks are limited to 20 gallons per room. Pets are not permitted in any other College facility (unless otherwise designated by College officials). The only exception is those areas designated by Residential Life as “pet-friendly.”

Range of Sanctions: *Disciplinary Warning to Probation*

- 3.12 Smoking:** Smoking of any kind, including the use of vaporizers and electronic cigarettes, is prohibited in all public buildings, residence halls, and on College grounds except for in designated smoking areas. Due to health and safety concerns, students found responsible for smoking *inside* any College facility will receive a more severe sanction.

Range of Sanctions (violations occurring outdoors): *Disciplinary Warning to Suspension*

Range of Sanctions (violations occurring indoors): *Disciplinary Probation to Suspension*

- 3.13 Trespassing/Unauthorized Access:** Forcible or unauthorized entry into any room, building, structure, or facility or unauthorized use of College grounds, including bathrooms, is prohibited.

Range of Sanctions: *Disciplinary Warning to Expulsion*

- 3.14 Prohibited Affiliation with Expelled or Dangerous Organizations:** Students are prohibited from joining, pledging, or accepting membership with a fraternity, sorority, or student organization that has been expelled or designated as a “Dangerous Organization.”

Range of Sanctions: *Suspension to Expulsion*

**Information:** Given the college’s concern regarding the physical and/or mental health risk posed by expelled or dangerous organizations, students who join these groups can be charged with violating this regulation and may be disciplinarily dismissed from the College.

“Dangerous Organizations” are defined as unrecognized fraternities, sororities, or other student organizations whose past conduct indicates that affiliation with the organization may pose a health and safety risk to students. Upon obtaining evidence that the activities of an unrecognized student organization may be creating harmful conditions(s), the associate dean for student conduct will utilize the established procedural guidelines employed with *recognized* organizations to adjudicate the alleged violations. If the organization is found “responsible” for one or more charges, the group may receive the “Dangerous Organization” designation. Such a finding is appealable to the vice president for student affairs. Should the designation be upheld, the college will add the organization to a publicly viewable list (see below) and notify all known members of the organization.

If you are unsure if a student organization is expelled or designated as a “Dangerous Organization,” please contact the Office of Student Engagement (x4075), the Office of Student Conduct (x4065), or the Office of the Vice President for Student Affairs (x3911) to determine the status of any group with which you may wish to affiliate.

The wearing of Greek letters, insignia, or identifying symbols of an expelled or “Dangerous Organization,” and/or possession of any organizational objects (e.g., certificates, plaques, paddles, etc.) from the group may be viewed as evidence of affiliation.

*\*In those instances where the student presents to the appellate officer mitigating circumstances regarding the severity of the sanction imposed, the appellate officer may choose to impose a lesser sanction.*

- 3.15 Continuing Duty to Report Arrests and Convictions to the College:** Students have a continuing duty to notify the College, within 10 business days of any *external* arrest (i.e., not affected by University Police), conviction, or issuance of a protective order. A form is provided by the Office of Student Conduct for disclosing such information and must be submitted in person.

Range of Sanctions: *Disciplinary Warning to Expulsion*

**Information:** This policy pertains to arrests or convictions for violation of federal, state, or local laws, or laws of other countries, excluding minor traffic violations that do not include injury to others. An arrest includes the issuance of a written citation or summons, regardless of whether the student is taken into custody by law enforcement. Charges related to reckless driving and driving under the influence of alcohol or other drugs are not "minor traffic violations" and must be reported. This duty applies *regardless* of where the arrest occurred and regardless of whether the College is in session at the time of the arrest or conviction.

## Section Four – DEMONSTRATIONS AND PUBLIC GATHERINGS

**Philosophy and Rationale:** To succeed in its pursuit of truth and dissemination of knowledge in an atmosphere where freedom of inquiry flourishes, the College must provide an institutional framework that encourages debate and freedom of intellectual endeavor without fear of consequences. The administration, faculty, and students at the college have the right of dissent and demonstration provided that they do not violate the freedom of speech, choice, assembly, or movement of other individuals or groups.

A demonstration is a public assemblage of a person or persons exhibiting sympathy with or opposition to some political, economic, or social condition or movement. The intent of the demonstrator(s) is to persuade opinion by focusing public attention on a problem by publicizing the beliefs of those participating in the demonstration. Demonstrations are to be confined to public areas of campus facilities and may be limited by time, place, and manner so as not to disrupt classes, the residential environment, or the overall educational mission of the College.

- 4.1 a. Obstruction:** Prohibiting access and/or egress from buildings and campus paths, streets, and roads will not be permitted.

Range of Sanctions: *Disciplinary Warning to Suspension*

- 4.1 b. Right of Passage:** Demonstrations must allow privacy for student job seekers who wish to discuss their career plans with an interviewer.

Range of Sanctions: *Disciplinary Warning to Probation*

- 4.1 c. Disruption/Obstruction:** Obstructing or interfering with College functions or any College-related activity is not permitted.

Range of Sanctions: *Disciplinary Warning to Suspension*

- 4.1 d. Civil Disturbance:** Any conduct (to include but not limited to inciting riotous behavior) that involves disturbing the peace or interfering with the educational mission of the College and/or the Village of Alfred community during or in conjunction with a disturbance is not permitted.

Range of Sanctions: *Disciplinary Warning to Expulsion*

- 4.1 e. Littering:** The throwing, dumping, or depositing of trash or refuse of any kind in an unapproved area is prohibited.

Range of Sanctions: *Disciplinary Warning to Probation*

## Section Five – SEXUAL MISCONDUCT, DATING VIOLENCE, DOMESTIC VIOLENCE, STALKING, & BIAS-RELATED HARASSMENT

**Philosophy and Rationale:** Alfred State expressly prohibits the sexually aggressive behavior noted below or acts of discrimination. Students found engaging in these behaviors will be subject to criminal charges and prosecution under local and state laws. There are four types of charges of sexual misconduct: nonconsensual sexual intercourse, nonconsensual sexual contact, sexual exploitation, and sexual harassment. Section 5.2, *Bias-Related Harassment*, states that any violation of the Code of Conduct motivated by a consideration (real or perceived) of age, disability, race, ethnicity, gender, gender expression and identity, language heritage, learning style, national origin, sexual orientation, religion, social-economic status, status as a veteran, or worldview is prohibited. This section also includes policies adopted by the College under the Campus SaVE Provisions of the Violence Against Women Act (VAWA). Specifically, this includes policies prohibiting dating violence, domestic violence, and stalking.

Sexual misconduct, bias-related, domestic/dating violence, and stalking violations are considered offenses of sufficient gravity to warrant the possible interim suspension of a student before a hearing as outlined in the section titled “Interim Suspension” of the Administration of the Student Code of Conduct. When the College is notified of student misconduct regarding disorderly/disruptive conduct or acts of violence (assault, sexual misconduct, bias-related crime) off campus, it may also choose to hold the student accountable through the campus disciplinary process. Please see the *Rights of Respondents (accused) and Complainants* (victims) as they pertain to cases of sexual misconduct and bias-related harassment. As with all alleged violations of the Student Code of Conduct, the evidentiary standard used to determine whether sexual misconduct or bias-related harassment has occurred is known as *preponderance of the evidence*. In other words, the administrative hearing officer or sexual misconduct panel will render a decision based on whether it is *more likely than not* that the prohibited conduct has occurred.

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

- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs or alcohol.
- Consent may be initially given but withdrawn at any time.

- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
- When consent is withdrawn or can no longer be given, sexual activity must stop.

**Policy for Alcohol and/or Drug Use Amnesty in Sexual Violence Cases:** The health and safety of every student at the State University of New York and its State-operated and community colleges is of utmost importance. Alfred State recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time a sexual violence incident occurs may be hesitant to report such incidents due to fear of potential consequences for their conduct. Alfred State strongly encourages students to report incidents of sexual violence to campus officials. A bystander reporting in good faith or a victim/survivor reporting sexual violence to Alfred State officials or law enforcement will not be subject to campus conduct action for violations of alcohol and/or drug use policies occurring at or near the time of sexual violence.

**5.1 a. Nonconsensual Sexual Intercourse:** Engaging in sexual intercourse, however slight, with another person without seeking and obtaining *affirmative consent* is prohibited. Sexual intercourse is defined as vaginal penetration by a penis, object, tongue, or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact).

Sanctions: *Disciplinary Suspension or Expulsion* (see below for additional details)

**5.1 b. Nonconsensual Sexual Contact:** The intentional touching of another person's clothed or unclothed body part(s), without seeking and obtaining affirmative consent, for the purpose of sexual gratification, degradation, or humiliation is prohibited. Likewise, compelling an individual to touch another person's clothed or unclothed body part(s) for any of these purposes is also prohibited. It is never acceptable to intentionally touch another person's breasts, buttocks, groin, or genitals, or to use any of these body parts to touch another person, without obtaining affirmative consent.

Sanctions: *Disciplinary Probation, Deferred Suspension, Suspension, or Expulsion* (see below for additional details)

**5.1 c. Sexual Exploitation:** It is prohibited for a student to take nonconsensual or abusive sexual advantage of another for their advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Sanctions: *Disciplinary Probation, Deferred Suspension, Suspension, or Expulsion* (see below for additional details)

**Information:** Examples of Sexual Exploitation include, but are not limited to the following:

- Recording still or video images of another person engaged in a sexual act or of an *intimate body part* without that person's consent ("intimate part" is defined by NYS Penal Law §245.15 as "the naked genitals, pubic area, anus, or female nipple").
- Making an audio recording of another person engaged in a sexual act without that person's consent.

- The disseminating of such images or audio without the subject's consent (e.g., "revenge porn").
- Allowing a third party to observe a sexual act or intimate part without the consent of all persons involved.
- Engaging in sexual activity with another person while knowingly infected with a sexually transmitted infection (STI) or disease (STD), without informing the person of the infection/disease.
- Removing or intentionally damaging a contraceptive during a sexual act without the other person's knowledge and/or consent (i.e., "stealthing").

**5.1 d. Sexual Harassment:** Sexual harassment is conduct, including physical contact, advances, and comments in person and/or via phone, text message, email, or other electronic medium, that is (a) unwelcome; (b) based on sex or gender stereotypes; and (c) is so severe or pervasive that it unreasonably interferes with a person's academic performance or equal opportunity to participate in or benefit from College programs or activities.

Sanctions: *Disciplinary Probation, Deferred Suspension, Suspension, or Expulsion* (see below for additional details)

**Information:** Unless accompanied by allegations of nonconsensual sexual intercourse, nonconsensual sexual contact, or sexual exploitation, a charge of sexual harassment is heard as an Administrative Hearing.

**5.2 a. Dating Violence:** Dating violence is any act of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the victim's statement and with consideration of the type and length of the relationship and the frequency of interaction between the persons involved in the relationship. Two or more people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.

Sanctions: *Disciplinary Probation, Deferred Suspension, Suspension, or Expulsion* (see below for additional details)

**5.2 b. Domestic Violence:** Domestic violence is any violent felony or misdemeanor crime committed by a current or former spouse or intimate partner of the victim, a person sharing a child with the victim, or a person cohabitating with the victim as a spouse or intimate partner.

Sanctions: *Disciplinary Probation, Deferred Suspension, Suspension, or Expulsion* (see below for additional details)

**5.2 c. Stalking:** Stalking is intentionally engaging in a course of conduct, directed at a specific person, which is likely to cause a reasonable person to fear for their safety or the safety of others or cause that person to suffer substantial emotional damage. Examples include but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm them.

Sanctions: *Disciplinary Probation, Deferred Suspension, Suspension, or Expulsion* (see below for additional details)

**Sanctions & Special Conditions:** In accordance with New York State Education Law Article 129-B, all possible sanctions that may be imposed for acts of domestic violence, dating violence, stalking, or sexual assault must be specified. The following list indicates the minimum and maximum duration that the sanctions listed above may be imposed:

- **Disciplinary Probation** – Will minimally be imposed for the remainder of the current semester and in one-semester increments thereafter up to a maximum period of 8 semesters.
- **Deferred Suspension** – Will minimally be imposed for the remainder of the current semester and in one-semester increments thereafter up to a maximum period of 8 semesters.
- **Suspension** – Will minimally be imposed for the remainder of the current semester and in one-semester increments thereafter up to a maximum period of 8 semesters.
- **Expulsion** – Expulsion is a permanent status.

In addition to receiving a *sanction*, students found responsible for acts of domestic violence, dating violence, stalking, or sexual assault may also be assigned *special conditions*. Special conditions that *may* be imposed include no contact orders, banning from residence halls, banning from the entire campus (i.e. persona non grata), completion of a reflective essay, completion of a drug/alcohol program, completion of an anger management program, housing restrictions, housing relocation, parent/guardian notification, completion of an educational project, counseling assessment, restitution, loss of visitation privileges, and remaining on a Disciplinary Probation status for 1 year after returning from suspension.

The College's *Sexual Violence Victim/Survivor Bill of Rights* can be found in Appendix A of this document.

The College's *Sexual Violence Response Policy* can be found in Appendix B of this document.

**5.3 Bias-Related Harassment:** Any violation of the Code of Conduct motivated by a consideration (real or perceived) of age, disability, race, ethnicity, gender, gender expression and identity, language heritage, learning style, national origin, sexual orientation, religion, socio-economic status, status as a veteran, or worldview is prohibited.

Range of Sanctions: *Disciplinary Probation to Disciplinary Expulsion*

**Information:** A disciplinary charge of bias-related behavior that results in a finding of responsibility may subject the student to the imposition of a sanction more severe than would be imposed in the absence of such motivation. Engaging in a course of conduct as described above may be a single incident or occur over time. Allegations of bias-related harassment are heard by the College's Student Conduct Committee.

Most often, as in the case of bias-related or sexual harassment, violations of this regulation represent behavior that objectifies a personal attribute, singling it out for ridicule, attack, or disparagement. Attributes include, but are not limited to,

- Age, disability, race, ethnicity, gender, gender expression and identity, language heritage, learning style, national origin, sexual orientation, religion, socio-economic status, status as a veteran, or worldview.
- Harassment may include physical contact such as touching or patting, written or oral comments or suggestions, offensive pictures or "jokes," hostile or threatening gestures, or other forms of degradation.

Bias-Related Harassment is included in this section of the Code of Conduct due to many shared processes that are used when adjudicating sexual misconduct, dating violence, domestic violence, stalking, and bias-related harassment cases.

## Section Six – RESIDENCE HALL REGULATIONS & POLICIES

**Philosophy and Rationale:** The following section outlines the room visitation policy for Alfred State. Its purpose is to formulate and communicate the minimum requirements for safeguarding the rights of individuals and for providing security for the residence hall and its residents.

It will be the responsibility of each student to make every reasonable effort to resolve visitation conflicts. If an individual is unable or feels unsafe attempting to resolve the issue on their own, they should request assistance from the building's Residential Life staff (i.e., resident assistants or residential professional).

The use of residence hall facilities is limited to residents and their visitors and/or overnight guests, complying with regulations established by the Student Conduct Code and by each residence hall. Any alleged violations may result in the immediate removal of the visitor or guest from the residence hall, and they may be banned from future access.

The residence hall environment is a living/learning community that respects all students' rights to personal privacy, access to living accommodations, an atmosphere conducive to study, and the personal safety and protection of personal property.

**6.1 a. Responsibilities of Hosts:** Student hosts are responsible for complying with all rules and regulations outlined in the Student Code of Conduct, the [License for Residence](#), and Residential Life policies, and for ensuring that their guests also adhere to these standards.

Range of Sanctions: *Disciplinary Warning to Probation*

**Information:** Please refer to the information section for 6.1 b. below.

**6.1 b. Responsibilities of Non-Residents, Visitors, & Guests:** Both students and non-students are responsible for complying with all rules and regulations outlined in the Student Code of Conduct, the [License for Residence](#), and Residential Life policies when visiting the College's residential facilities.

Range of Sanctions: *Disciplinary Warning to Probation*

**Information:** While the License for Residence provides a detailed explanation of the specific responsibilities of hosts, guests, and visitors, the following list summarizes some notable expectations:

- All non-residents, either entering or already present in a residence hall, must register at the building's staff office beginning at 10 p.m. daily. Photo ID must be presented to register.
- Resident hosts are responsible for ensuring that their visitors are informed of and adhere to the Code of Conduct, License for Residence, and other applicable policies. Hosts will be held accountable for the actions of their visitors, including financially, for misconduct or damage caused by their guests.
- A resident who permits residence hall access to a non-resident or fails to register a non-resident as a guest assumes all responsibilities of a host.
- All non-residents must always be escorted by a resident host while present in a residence hall.
- Any visitor planning to stay in a residence hall after the staff office closes (i.e., 1:00 a.m. Monday – Friday and 3:00 a.m. Saturday & Sunday) must register as an *overnight guest*. Anyone *not* registered as an overnight guest must depart the building by office closing time.



- Overnight guests are limited to two (2) stays in any seven (7) day period.
- No more than two overnight guests or visitors are permitted per resident at any given time.
- Overnight guests are not permitted during *intensive study hours* without advance approval of the facility's residential professional.
- Rooms may not be used by any person(s) without a resident of the room present. Each resident is responsible for any activity that occurs in their room.
- Parent/guardian permission is required for any visitor to a residence hall who is under the age of seventeen (17). Written permission must be submitted to the facility's residential professional a minimum of one (1) business day before the intended visit for their review and approval. Visitors under the age of 17 may be registered with a family member and must be accompanied by their host while on campus.

**6.2** Entering a residence hall during a period of limited access without showing proper identification is prohibited.

Range of Sanctions: *Disciplinary Warning to Probation*

## Section Seven – FIRE SAFETY

**Philosophy and Rationale:** Tampering with fire and safety equipment or introducing prohibited items into the residential environment is dangerous. A student who actively engages in tampering with, deactivating, or damaging fire safety equipment or interfering with emergency operations is endangering their own life and the lives of others. Violators will be subject to disciplinary action up to and including disciplinary expulsion and may be prosecuted criminally.

**7.1 a. Prohibited Items:** All appliances, decorations, flammable materials, and other items excluded by the Office of Residential Service's *License for Residence* or *Guide to Moving and Packing* may not be used or stored in the College's residence halls except where explicitly permitted.

Range of Sanctions: *Disciplinary Warning to Probation*

**Information:** Both the License for Residence and Guide to Moving and Packing are available online at: <https://www.alfredstate.edu/housing-forms>. Weapons and explosives are addressed in separate sections of the Code of Conduct.

**7.1 b. Tampering with Fire Equipment:** Tampering with fire alarms, emergency blue lights, extinguishers, pull stations, smoke/heat sensors, sprinklers, exit signs, and any other safety devices is prohibited.

Range of Sanctions: *Disciplinary Probation to Expulsion*

**Information:** Students found responsible for behaviors associated with tampering may be assessed inspection fees, required to attend fee-based fire-safety training, and have their License for Residence revoked.

**7.1 c. Decorations, Hangings & Storage:** No more than 10% of any door surface or wall may be covered by posters, decorations, or any other items. No items may be placed or hung within an 18" radius of sprinkler heads or smoke/heat detectors. Shoes or other items may not obscure exit ways, including hallways and doors. Window and door decorations of any kind are prohibited, unless posted by authorized College employees.

Range of Sanctions: *Disciplinary Warning to Expulsion*

- 7.1 d. Interference:** Interfering with emergency operations, such as police, fire, or ambulance personnel in the course of their official duties, is prohibited.

Range of Sanctions: *Disciplinary Warning to Expulsion*

**Information:** Breaches of this regulation may also violate NYS Penal Law and can result in criminal charges.

- 7.1 f. Failure to Evacuate:** Failure to exit a facility when emergency alarms have been activated or otherwise failing to comply with College requirements and staff directives regarding building evacuation is prohibited.

Range of Sanctions: *Disciplinary Warning to Probation*

- 7.1 g. Door Propping:** Propping any exterior or fire-rated door is prohibited.

Range of Sanctions: *Disciplinary Warning to Probation*

- 7.2 b. Alcohol Paraphernalia:** Items including kegs, beer balls, and taps are not permitted on campus. In addition, for students under the age of 21, the possession of other alcohol paraphernalia (e.g., cans, bottles, empty cases) is also prohibited. Favors to commemorate specific campus events for students under 21 may not include beer mugs, wine glasses, brandy glasses, flasks, shot glasses, or other alcohol-related paraphernalia to promote events or their organizations.

Range of Sanction: *Disciplinary Warning to Probation.*

## Section Eight – FIREARMS, AMMUNITION, KNIVES, AND DANGEROUS WEAPONS

Violations resulting in serious physical injury, or those involving the use of a deadly weapon or dangerous instrument, shall be considered sufficiently grave to warrant immediate suspension pending a hearing, as outlined in the 'Interim Suspension & Emergency Removal' section.

- 8.1 a. Weapons I:** Firearms, ammunition, knives, and dangerous weapons are not allowed on College property at any time unless given written permission by the College president (or designee). This regulation is consistent with NYS Penal Law Article 265 and regulations passed by the NYS Legislature.

Range of Sanctions: *Disciplinary Probation to Expulsion*

**Information:** Firearms include, but are not limited to, any pistol, revolver, shotgun, or rifle. Knives and dangerous weapons include, but are not limited to, dart guns, electronic stun guns, gravity knives, switchblade knives, metal knuckle knives, cane swords, billy clubs, blackjacks, metal knuckles, Chaka sticks, slingshots, and “Kung Fu Stars.” A maximum of two pocketknives per student with blades equal to or less than three (3) inches are permitted.

Students may apply to University Police for a permit to possess archery tackle on campus. However, arrows are prohibited in all College facilities except for specially designated areas (i.e., archery ranges). University Police cannot accept requests to safe-keep or hold firearms, ammunition, knives, or dangerous weapons belonging to any individuals, offices, or agencies of the institution.

**Administration of Severe Incidents:** In instances where a weapon has been used in a threatening or assaultive manner, or in a manner that otherwise causes panic or alarm, the minimum sanction that may be imposed is *Disciplinary Suspension*.

- 8.1 b. Weapons II:** The College considers air guns, paintball guns, BB guns, gel blasters (e.g., Orbeez guns), and slingshots to be dangerous, and they are not permitted on College property unless given written permission by the College president (or designee).

Range of Sanctions: *Disciplinary Probation to Suspension*

**Administration of Severe Incidents:** In instances where a weapon has been used in a threatening or assaultive manner, or in a manner that otherwise causes panic or alarm, the minimum sanction that may be imposed is *Disciplinary Suspension*.

- 8.1 c. Self-Defense Sprays:** A person 17 years of age and younger or persons who have been convicted of a felony or any assault in/outside of New York State are not permitted to possess or use self-defense spray devices. Section 265.20 (14) of the NYS Penal Law defines a self-defense spray device as a pocket-sized spray device that contains and releases a chemical or organic substance that, when directed at another person, is intended to produce temporary physical discomfort or disability against another person.

Range of Sanctions: *Disciplinary Probation to Suspension*

## Section Nine – ARSON, FIREWORKS & EXPLOSIVES

- 9.1 a. Explosives & Fireworks:** Explosives, flammable compounds, or other devices commonly used and sold as fireworks, are prohibited on campus, except for College-sponsored events, by NYS Penal Law Article 270. Additionally, compressed gases and flammable liquids are not permitted in the College's residence halls.

Range of Sanctions: *Disciplinary Warning to Expulsion*

**Information:** The College considers the use or possession of fireworks as a dangerous act, and violators will be subject to disciplinary action and/or criminal prosecution. This regulation may be conditionally waived for temporary periods by the College president for College-sanctioned public fireworks displays.

**Administration of Severe Incidents:** Students charged with this violation who have allegedly placed others in significant harm's way will have their case adjudicated by the Student Conduct Committee.

- 9.1 b. Arson:** Deliberately causing a fire on College property is a serious offense. Prohibited behavior includes, but is not limited to, creating or causing a bonfire, lighting trash, and lighting materials on a bulletin board or door.

Range of Sanctions: *Disciplinary Suspension to Expulsion*

## Section Ten – GAMBLING

- 10. Gambling:** In accordance with NYS Penal Law Article 225, gambling, which consists of a person staking or risking something of value upon the outcome of a contest, is prohibited on College property. Offenders will be liable for campus disciplinary action and/or civil action.

Range of Sanctions: *Disciplinary Warning to Probation*

## Section Eleven – ASSAULT, BULLYING, & HARASSMENT

Violations that result or may have resulted in serious physical injury shall be considered offenses of sufficient gravity to warrant immediate suspension of a student pending a hearing as outlined in the “Interim Suspension and Emergency Removal” section. The College will address credible reports of students committing violence or harassing or bullying others, regardless of where the alleged conduct occurred.

- 11.1 Assault:** Assault, physical abuse, causing physical injury or bodily harm, or other forms of physical contact that threaten or endanger the health, well-being, or safety of any person, or that intentionally inflict psychological or bodily harm upon any person, is prohibited.

Range of Sanction: *Disciplinary Probation to Expulsion*

**Information:** Many students found responsible for violating this regulation have been dismissed from the College and have been subject to criminal prosecution.

- 11.2 Physical, Verbal, Electronic Harassment & Bullying:** Verbal abuse, threats, physical harassment, intimidation, bullying, stalking, coercion (written or oral), physical conduct which threatens or endangers the health, well-being, or safety of any person, or that intentionally inflicts psychological or bodily harm upon any person, is prohibited.

Range of Sanctions: *Disciplinary Warning to Expulsion*

## Section Twelve – THEFT & POSSESSION OF STOLEN PROPERTY

- 12.1 Theft:** Taking or stealing another’s property or failing to return another’s property is considered theft and is prohibited. Theft of services or unauthorized use of another’s credit, debit, or banking card is also prohibited.

Range of Sanctions: *Disciplinary Warning to Expulsion*

- 12.2 Possession of Stolen Property:** Possessing property other than one’s own without permission of the rightful owner is prohibited.

Range of Sanctions: *Disciplinary Warning to Expulsion*

**Information:** Past violations of this Sections 12.1 and 12.2 have included possession of municipal road signs, traffic cones, construction lights and signs, street signs, theft of College equipment (including residence hall furniture) or campus services (residential room use, cable, laundry, food, meals, vending machines, computer, software, telephone service), possession or use of another person’s room key, and removal of College furniture and equipment without written authorization from the College; and any behavior that constitutes a violation of theft or possession of stolen property under federal or State laws.

Please note that some students have been charged with a violation of this regulation for having stolen property and not having a traceable bill of sale of the item purchased. Students need to be careful when purchasing an item from a person not known to them, as they may be selling stolen property. If another person sells an item to you, you need to get their name, address, and phone number when you accept the purchase. Students charged with a violation of this regulation can also be charged criminally and be subject to court fines and possible incarceration.

## Section Thirteen – MOTOR VEHICLES

**Philosophy and Rationale:** Motor vehicles and motorcycles operated or parked on the campus are subject to campus policy as well as local, state, and federal laws. The College’s parking regulations can be found on the University Police webpage at <https://www.alfredstate.edu/university-police/parking-regulations>.

- 13.1 Prohibited Vehicles:** Snowmobiles, miniaturized motorcycles (including electric-powered), ATVs, and any unregistered vehicles may not be operated on College property unless approved by an authorized College official.

*Range of Sanctions: Disciplinary Warning to Disciplinary Probation*

- 13.2 Vehicle Use & Storage:** All motor vehicles, motorcycles, mopeds, or other fuel-powered engines, and electric bikes, hover boards, skateboards, and other electric vehicles, assembled or disassembled, may *not* be kept or operated in College facilities unless part of an approved curriculum

*Range of Sanction: Disciplinary Warning to Disciplinary Probation*

## Section Fourteen – THE CONDUCT OF ORGANIZATIONS

**Philosophy and Rationale:** Student organizations are subject to all expectations herein, just like any individual student. Organizations are responsible for ensuring that the events they host and the behavior of attendees are consistent with the Student Code of Conduct as well as federal, state, and local laws.

Organizations may be held responsible for the conduct of *individual* members in situations where (a) the organization was aware or should have been aware of the misconduct *in advance* but did not report the concern, (b) the organization became aware of the misconduct *after* the act occurred but failed to report the concern and/or attempted to conceal the behavior, or (c) the organization otherwise encouraged, aided, or abetted the misconduct.

It is not expected for any organization or member to intervene in a potentially unsafe situation directly. Instead, the organization’s membership should appropriately and promptly report the concern to the appropriate personnel or authorities (e.g., University Police, Title IX, and Student Conduct).

- 14. Organizational Misconduct:** Organizations are expected to uphold all College policies in the same way as individual students and are responsible for ensuring that sponsored events and those in attendance also conform to the Student Code of Conduct. Organizations may be charged for *individual* member misconduct when the group aids or abets such conduct. In addition, organizations that recruit or accept members in breach of College policy may also be charged with violating this regulation.

*Range of Sanctions: Organizational Warning to Expulsion*

**Information:** If an organization is found responsible for violating this regulation, and there is reason to believe that affiliation with the group may pose a health or safety risk to students, a designation of “dangerous organization” may be applied (see Section 3.14 - *Regulations Regarding Membership into Expelled and Dangerous Organizations*).

Groups or other associations of students *not* formally recognized by the College may also be charged for misconduct under this regulation. In such instances, the same processes for recognized organizations will be utilized regardless of the membership’s willingness to participate. Such groups are also subject to designation as *dangerous organizations*.

Additional information concerning how alleged organizational misconduct is addressed can be found in the “Disciplinary Hearing Bodies” section of this document.

## Section Fifteen – HAZING REGULATIONS

**Philosophy and Rationale:** The College’s definition of ‘hazing’ (15.1) is derived from the [Stop Campus Hazing Act](#) enacted on January 1, 2025. Additionally, the College upholds and enforces all other local, state, and federal laws, specifically including, but not limited to, NYS Penal Law, NYS Education Law, and New York Code Rules and Regulations (NYCRR).

**15.1 Hazing – Life Safety:** It is prohibited for any person (whether individually or in concert with others) to commit any intentional, knowing, or reckless act against another person, regardless of the willingness of such other person to participate, that: —

- I. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
- II. causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury, including—
  - a. whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;
  - b. causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
  - c. causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
  - d. causing, coercing, or otherwise inducing another person to perform sexual acts;
  - e. any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
  - f. any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and
  - g. any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Range of Sanctions for individuals: *Disciplinary Probation to Expulsion*

Range of Sanctions for organizations: *Organizational Suspension to Expulsion*

**Information:** ‘*Student Organization*’ means an organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

Any student organization that permits the prohibited conduct described shall be subject to the permanent rescission of permission to operate upon the campus or property of the state-operated institution used for educational purposes or, in the alternative, a period of suspension of said permission to operate or probationary

status with supervised conditions of operation. The sanction enacted by the College shall be in addition to any penalty which may be imposed under the Penal Law and any other provision of law, or to any penalty to which an individual may be subject under 8 NYCRR 535.

Section 6430 (1) of the Educational Law requires that the provisions of 8 NYCRR 535, which prohibits reckless or intentional endangerment or forced consumption of alcoholic beverages or drugs for the purpose of initiation into or affiliation with any organization, shall be deemed to be part of the bylaws of all organizations which operate upon the campus of any state-operated institution used for educational purposes. The statute further requires that each such organization review these bylaws annually with individuals affiliated with the organization.

Under the Penal Law, a person can be found guilty of hazing in the first degree (a Class A misdemeanor) if the person is found to be “intentionally or recklessly engaging in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury” (Penal Law, 120.16). An offense designated as hazing in the second degree (a violation) incorporates a nearly identical definition except that no actual injury to any person needs to be proved (Penal Law, 120.17). Being convicted of this offense can carry up to 15 days in jail, a monetary fine, and community service obligations.

- 15.2 Hazing – Power Imbalance:** Behaviors lacking a legitimate purpose that implicitly or explicitly promote a power imbalance between members or initiates of an organization are prohibited. Activities or practices that breach reasonable standards of mutual respect and/or may foreseeably cause ridicule, embarrassment, or the humiliation of a member or someone seeking membership are likewise prohibited.

Range of Sanctions: *Disciplinary Warning to Suspension*

**Information:** This form of subtle hazing may occur during initiation into an organization or in any instance where membership is compelled to participate in activities that are arbitrary and/or nonessential for the effective operation of the organization. Labeling an activity that may constitute power imbalance hazing as “optional” does not exempt it from this policy.

The ultimate determination of whether an activity serves a legitimate purpose is at the discretion of College administration and/or disciplinary hearing bodies, not the organization promoting the conduct. Therefore, organizations are expected to proactively seek clarification about the permissibility of any potentially problematic practice or activity. Both individuals and organizations may be charged with violating this regulation.

Examples of prohibited behavior include but are not limited to assigning demerits, deception, deprivation of privileges granted to other members, tests on arbitrary information, “line-ups” and drills, socially isolating new members/initiates, name-calling or the use of derogatory nicknames, expecting certain items to always be in one’s possession, or taking possession of one’s items without permission, and/or expecting new members/initiates to (a) perform duties not assigned to other members, (b) refer to other members with titles, to suggest subordination, inferiority, or second-class status, and/or (c) deviate from their normal class study or schedule.

#### **Special Consideration for Reporters of Hazing**

Students may hesitate to report hazing due to concerns about the consequences they may face for participating in the hazing activity. For this reason, students who act in good faith to report hazing and cooperate fully as witnesses in the investigation and disciplinary process may not be subject to student conduct action related to their involvement.

Consideration will be provided on a case-by-case basis, but the circumstances will be reviewed in a manner most favorable to the reporting party. However, this determination remains at the college's sole discretion. If information is later presented that the reporting student has continued to engage in hazing or has knowledge of hazing activity that was not reported, they may be held accountable for their past behavior.

Students who choose to report and request special consideration should be aware that a decision to forgo campus disciplinary action does not preclude any criminal or civil actions that may be taken by litigants or law enforcement agencies, including University Police.

## Section 16 – COMPUTER MISUSE AND FRAUD

- 16. Computer misuse and fraud:** Computer misuse and fraud are prohibited under the College’s Computer Usage Policy. Computer misuse includes obtaining access to the College computers, software, or terminals without proper authorization from the College; obtaining from or giving a password to another person; or deleting, damaging, altering, or causing destruction to College computer equipment, software, or data without proper authorization from the College. Making unauthorized copies or downloading/uploading copyrighted materials (e.g., software, music, and movies) is not permitted.

Range of Sanctions: *Disciplinary Warning to Expulsion*

**Information:** College computing accounts are for educational purposes only. Hacking is illegal and prohibited under this policy. “Spamming” and any form of mass emailing are considered harassing and a violation of this policy. Using unauthorized scripts that result in “crashing” or damaging a College computer or community member’s devices is a violation of this policy. Downloading or uploading copyright-protected materials without authorization of the copyright owner is a violation of federal law and this policy. For more information, refer to the Alfred State Computer Usage Policy or contact the Help Desk (607 587-4357).

Past violators have been subject to revocation of computer privileges, disciplinary sanctions, and prosecution under state and/or federal laws, civil fines, possible arrest, and/or incarceration.

## THE ADMINISTRATION OF THE CONDUCT CODE

The vice president for student affairs has oversight of all cases of nonacademic misconduct. It is the responsibility of the Office of the Vice President for Student Affairs to coordinate and evaluate the student conduct process of the College. The vice president for student affairs designates the associate dean for student conduct as the staff member responsible for the daily administration of student violations of the Student Code of Conduct.

## REPORTING POTENTIAL CODE OF CONDUCT VIOLATIONS

All members of the campus community and others are encouraged to report alleged violations of College regulations. They can do so by submitting a written complaint to an administrative hearing officer (e.g., residential professional), the associate dean for student conduct, or online at <https://bit.ly/ascredflag>. The Office of Student Conduct is available to answer questions and provide assistance.

## ROUTING DISCIPLINARY CASES

When the Office of Student Conduct receives an allegation of student misconduct, it will review the information to determine if a disciplinary case should be opened. The following table is used to determine whether a student’s charges will be heard through the Residential Conduct process, by an administrative hearing officer, or by the College’s Student Conduct Committee based upon the nature of the alleged misconduct.



The following table summarizes the routing of cases in the College's disciplinary system. If a student is alleged to have violated *multiple* regulations, their most serious charge (reading left to right in the table below) determines the body responsible for hearing the case. **Alleged sexual misconduct violations are heard as detailed in the *Procedures for Hearing Cases of Sexual Misconduct* section of this document**, and the College's [Title IX Grievance Procedure](#).

<b>Regulation Section Title</b>	<b>Residential</b>	<b>Administrative</b>	<b>Conduct Committee</b>
	Adjudicated by the Residential Conduct Committee or Admin. Hearing Officers	Adjudicated by Administrative and Student Hearing Officers	Adjudicated by the Student Conduct Committee or a special designee.
1. Alcoholic Beverages	1.1, 1.3*, 1.4	1.2	
2. Drugs		2.0, 2.1	2.2
3. Disorderly & Irresponsible Conduct	All other Section 3 regulations	3.1 b., 3.5 a., 3.5 b., 3.5 c., 3.14, 3.15,	
4. Demonstrations & Public Gatherings	4.1 e.	All other Section 4 regulations	
5. Sexual, Dating, Domestic & Bias-Related Misconduct		5.1 d.	5.1 a., 5.1 b., 5.1 c., 5.2 a., 5.2 b., 5.2 c., 5.3
6. Residence Hall Access	6.1 a., 6.1 b., 6.2		
7. Fire & Safety Equipment	7.1 a., 7.1 c., 7.1 f., 7.1 g., 7.2 a.	7.1 b.*, 7.1 d.	
8. Weapons		8.1 a.*, 8.1 b.*, 8.1 c.*	
9. Explosives/Fireworks		9.1 a.*	9.1b.
10. Gambling	10		
11. Assault, Bullying & Harassment		11.2	11.1
12. Theft & Possession of Stolen Property	12.1, 12.2		
13. Motor Vehicles	13.1, 13.2		
14. Conduct of Organizations			14
15. Hazing			15.1, 15.2
16. Computer Misuse & Fraud		16	

**\*Administration of severe Indents:** Individuals charged with violations that have allegedly placed another person in harm's way (e.g., an individual provides alcohol to another where a level of significant alcohol intoxication occurs) or have threatened another person, may have their case referred to the Student Conduct Committee.

## NOTIFICATION OF DISCIPLINARY CHARGES

Students charged with violating College regulations shall be notified in writing of the sections of the Code they are alleged to have violated, the range of possible sanctions, and the date and time of their *initial conference*. This notification will be made to a student's Alfred State email account. In the conduct process, the term "respondent" refers to a student with pending disciplinary charges.

If the College is made aware of a potential violation that occurred while a student was enrolled, but they are not presently registered for classes, the allegations may still be adjudicated. In this case, the student will be notified, retain all rights of an enrolled student, and encouraged to participate in the disciplinary process. Alternatively, the student may be notified that they must answer to the charge(s) before being permitted to re-enroll.

## INITIAL CONFERENCES

The purpose of an initial conference is to provide the respondent with an opportunity to review the allegations and receive an explanation of why the specific charge(s) were selected, their rights, how the disciplinary process works, and the possible outcomes. Respondents are encouraged to ask any questions they may have about the disciplinary process during their initial conference. Requests for copies of documented allegations should be made directly to the Office of Student Conduct at [StudentConduct@alfredstate.edu](mailto:StudentConduct@alfredstate.edu).

If a respondent fails to appear at the initial conference, all charges can be considered true and accurate, and a decision may be rendered in the student's absence.

If a hearing officer does not object to conducting a respondent's hearing immediately following the initial conference, the student will be allowed to select one of the following courses of action:

1. ***To proceed directly into a residential or administrative hearing (Residential & Administrative charges only)***  
If *both* the hearing officer and respondent do not wish to call any witnesses to participate in the hearing, or those witnesses are already present, and both parties do not require any additional time to prepare for the hearing, the respondent will be permitted to proceed directly into their administrative hearing following their initial conference. Charges requiring the case to be heard before the Student Conduct Committee (Level B) will be scheduled for a date following the initial conference unless the student and associate dean for student conduct (or designee) have agreed to an alternate course of action in advance. In those special circumstances where Level B cases may be heard administratively (see *Student Conduct Committee Hearings*), the respondent may also be given the option of proceeding directly into the administrative hearing following the initial conference.
2. ***To request additional time to prepare for the hearing and/or contact witnesses***  
A student is never compelled to move directly into their hearing unless they choose to do so. The respondent may request a 48-hour delay to provide them with additional time to organize their thoughts and materials and contact witnesses who may be able to speak on their behalf. It should be noted that only *witnesses of fact* are permitted to appear at disciplinary hearings, although students may choose to submit letters of character reference. If the student fails to appear at their hearing, all charges can be considered true and accurate, and a decision rendered in their absence.

**3. *Request that the case be assigned to a different hearing officer***

If a student has reason to believe that the hearing officer conducting the initial conference cannot be impartial in the proceeding or has some other concern regarding that person's adjudication of their charges, the request may be made to have a different hearing officer assigned to the case. Such a request will be reviewed by the Associate Dean for Student Conduct (or their designee), and the case will be reassigned as appropriate.

**Rights of Students Accused of Violating College Regulations**

Students charged with one or more violations of College Regulations (i.e., "Respondents") have a right to:

1. Receive a written statement of the charges and be allowed to examine any written statements or evidence the College plans to present during the student's hearing (a review of the documented allegations will typically occur during a student's *initial conference*).
2. Reasonable time to prepare for their hearing.
3. Be present at the hearing during the presentation of any testimony or evidence on which a decision may be made.
4. Present an explanation of their situation/circumstances at the hearing and ask individuals to present information on their behalf (i.e., "Witnesses"). If a student does not attend their hearing, it will proceed without them.
5. Be accompanied by another member (defined as a registered student, faculty, or staff member) of the campus community to serve as their "Hearing Adviser." A hearing adviser is permitted to advise the respondent in the organization of their thoughts and presentation of materials, and can advise the student directly in the hearing. Hearing advisers may not ask or respond to any questions.
6. Ask questions of the hearing board/officer and of witnesses.
7. Present a summary statement at the close of the hearing.
8. The hearing officer/panel's decision is based solely upon the evidence and testimony presented at the hearing. If the charge(s) are found to be substantiated, a decision on the appropriate sanction(s) to impose can be based upon other matters of record in addition to what was presented during the hearing.
9. An expeditious hearing of their case.
10. A written report of the results and findings of the hearing within four (4) business days of the hearing.
11. Appeal the decision of the hearing board or administrative hearing officer.

**DISCIPLINARY HEARING BODIES**

**Residential Hearings:** Residential Conduct cases are heard by specially trained student hearing officers (SHOs) and overseen by the Residential Conduct Coordinator (RCC). The RCC is responsible for scheduling all initial conferences and hearings and imposing disciplinary decisions recommended by the SHOs. All residential hearings are closed to the public.

Findings and an explanation of decisions resulting from residential hearings shall generally be rendered in writing within four (4) working days. The RCC may impose sanctions ranging from disciplinary warning to disciplinary probation and may recommend sanctions of suspension and expulsion to the associate dean for student conduct.

**Administrative Hearings:** Administrative hearings are conducted by College staff designated by the vice president for student affairs. All administrative hearing officers are trained in the educational merits of disciplinary proceedings and the basic tenets of due process. Administrative hearing officers will review the charge against the accused student and the evidence presented to support the charge. All administrative hearings are closed to the public. Findings and an explanation of decisions resulting from administrative hearings shall generally be rendered in writing within four (4) business days. Administrative hearing officers may impose sanctions ranging from disciplinary warning to disciplinary probation and may recommend sanctions of suspension and expulsion to the associate dean for student conduct.

**Student Conduct Committee Hearings:** The Student Conduct Committee is the highest judicial body of the College. This committee is responsible for hearing and considering serious violations of the Student Code of Conduct that may result in disciplinary suspension or expulsion from the College.

The Student Conduct Committee consists of trained students, faculty, and staff members. Appointment to the Student Conduct Committee shall be made by the vice president for student affairs or designee. All members of the Student Conduct Committee must complete a training session with the Office of Student Conduct before they serve on a panel. The associate dean for student conduct will serve as the non-voting chair of the Student Conduct Committee. Alternate chairs must attend a separate training.

Student Conduct Committee hearing panels may consist of five (two students, two faculty, and one staff) or three (one student, one faculty, one staff) members plus the non-voting chair. The panel size is determined by the availability of committee members. The associate dean may appoint a staff member to present the case to the hearing panel.

Hearings are not open to the public and attendance is limited to the complainant(s), respondent(s), fact witnesses, hearing advisers, and members of the hearing panel. The only exception to this clause is when the College has been notified that criminal charges related to the allegations have been or may be filed against the respondent. In these instances, the respondent may, at their own expense, have an attorney present solely to protect the respondent against self-incrimination. The attorney may not serve in any other capacity during the hearing, including speaking on behalf of the respondent or questioning/addressing those present.

An audio recording of Student Conduct Committee hearings will be made and retained by the College. The recording will be made available to the respondent, if requested, for the sole purpose of appealing a disciplinary decision. Typically, the recording will need to be reviewed in person at the Office of Student Conduct.

If neither a five nor a three-person panel can be convened, the case may be heard administratively by the associate dean for student conduct. The Student Conduct Committee does not ordinarily meet during finals week, the summer, or during official College breaks.

A respondent's decision to withdraw after the disciplinary process has been initiated will not prevent the College from continuing to adjudicate the matter. A student in this situation will be provided with the same rights and opportunity to take part in the process as if they were enrolled, but disciplinary action may proceed regardless of whether the student chooses to participate.

**Sexual Harassment Hearings:** Any formal complaint of sexual harassment covered under Title IX of the Educational Amendments Act, and the 2020 Final Rule, is heard in accordance with the College's Title IX Grievance Procedure, which is available online at: <https://www.alfredstate.edu/title-ix>

**Organizational Conduct Hearings:** When information is received by the College indicating that a club, organization, or team may have violated the Student Code of Conduct, the assistant vice president for student affairs and associate dean

for student conduct will review the allegations. Other stakeholders (e.g., the director of athletics, director of student engagement, & Greek judicial board chair) may also be consulted during this initial review. In consideration of the nature of the alleged violation(s), the willingness of witnesses to testify, the available evidence, and what is generally believed to be in the best interest of the College, the assistant vice president and associate dean will determine if the allegations should be addressed through the *formal resolution* process (i.e. Student Conduct Committee or Greek Judicial Board hearing) or if the organization shall be provided the opportunity to participate in the *informal resolution* process.

**Informal Resolution Process:** The informal resolution process is loosely structured and predicated on an expectation of transparency, collaboration, and fair dealing between parties to achieve a mutually agreeable outcome. Once it has been determined that this process may be a viable approach for addressing an allegation of misconduct, the assistant vice president of student affairs and/or associate dean for student conduct will contact the president and advisor of the organization to notify them that information has been received indicating possible misconduct. The president, advisor, and up to four other student representatives will then be invited to participate in an informational meeting. In addition, any other stakeholders or individuals with specialized knowledge may be invited to attend the initial meeting and any subsequent meetings.

If the organization chooses to proceed with the informal process, additional meetings will be called as necessary to explore the allegations. The organization may also be asked to provide documentation, statements, or other evidence during this period. At the conclusion of this process, a resolution will be drafted by the College for the organization's review and acceptance. The resolution may contain sanctions, penalties, or other requirements up to and including any that may have been imposed during a hearing (i.e., the formal resolution process). If the organization chooses *not* to accept the informal resolution, the allegations will then be referred to the appropriate hearing body for adjudication.

An organization electing to participate in the informal resolution process may choose to exercise its right to a hearing (i.e., formal resolution process) at any time before accepting a final resolution. Likewise, the College's representatives may choose to exit the informal resolution process, with cause, and refer the matter to the appropriate hearing body.

*The informal resolution process is only available to an organization if offered by the College and may not be an option in all circumstances.*

**Formal Resolution Process:** If engaging in the informal resolution process is determined to be inappropriate for the situation, or if the alleged organization chooses not to participate in that process, the case will be referred to either the Student Conduct Committee or the Greek Judicial Board.

If the allegations are referred to the Greek Judicial Board, the policies and procedures included in the Greek Senate bylaws will be observed. If the matter is referred to the Student Conduct Committee, the allegations will be processed in the same manner prescribed for individual students, with the following exceptions:

- The assistant vice president for student affairs and the organization's advisor/coach may choose to attend the proceedings. The assistant vice president may also provide input and consult with the conduct committee during the *sanctioning* phase of its deliberations.
- If the organization charged is an *athletic team*, the athletic director (or designee) may choose to attend the proceedings and address the conduct committee. The athletic director (or designee) may also provide input and consult with the conduct committee during the *sanctioning* phase of its deliberations.
- If the organization charged is a *College-recognized club or organization*, the director of student engagement (or designee) and the Student Senate president may choose to attend the proceedings and address the conduct committee. The director (or designee) and Senate president may also provide input and consult with the conduct committee during the *sanctioning* phase of its deliberations.

## ORDER OF BUSINESS FOR DISCIPLINARY HEARINGS

Unless otherwise determined by the chair of the Student Conduct Committee, administrative hearing officer, or residential conduct coordinator, hearings will generally follow the order described below:

- a) The hearing officer/panel will introduce themselves and ask all present to do the same.
- b) The hearing officer/chair will review the hearing procedures as outlined here.
- c) The charges are read by the hearing officer/chair.
- d) The complainant may first present an opening statement sharing any information they wish to be considered. The hearing officer/panel may question the complainant at any point during this presentation. The respondents will have the opportunity to question the complainant following their opening statement.
  - a. If the complainant does *not* provide an opening statement, or if the College is the complainant, the hearing officer or hearing panel chair may read a summary of the alleged event(s).
- e) When the complainant has finished, the complainant's witnesses will each present testimony, with the hearing officer/panel permitted to ask questions. Only fact witnesses may be presented at disciplinary hearings
- f) The respondent may present their opening statement and witnesses the same as above. Again, both the hearing officer/hearing panel and the complainant will be permitted to question the respondent and their witnesses.
  - a. Respondents are permitted to submit letters of *character reference* for the hearing panel/hearing officer to review as a part of their deliberations.
- g) The hearing officer/chair may call witnesses, including expert witnesses from the College staff, at any time during the proceedings to aid the hearing officer/panel in its consideration of the case.
- h) The hearing officer/panel may ask further questions of either party or recall witnesses. The hearing officer/panel may call brief recesses at any time to discuss the proceedings and may ask further questions upon return from any such recess.
- i) When the hearing officer/panel's questions have concluded, the hearing officer/chair should inform the respondent that a written decision will be emailed to them. The hearing will then be adjourned.

## BASIS FOR FINDINGS: STANDARD OF EVIDENCE

The standard or basis for findings refers to the criterion or measure of proof that is used to assess whether a student is responsible or not for violating the regulation(s) under consideration.

**Preponderance of the Evidence:** The preponderance standard (meaning "more likely than not") is the same standard used in most civil cases in the U.S. Since student conduct cases are not criminal proceedings, many colleges follow civil standards to determine responsibility. This standard allows institutions to fairly weigh both sides of a case without requiring overwhelming proof. It is considered more equitable in educational settings, where the goal is to maintain a safe and respectful learning environment—not to punish criminally.

## SANCTIONS AND SPECIAL CONDITIONS

An essential objective of the College's conduct system is to educate all participants through the disciplinary process. Sanctions and special conditions, such as suspension, probation, and community restitution, should not be regarded as punishments or controls, but rather as educational devices to assist the student in attaining the maturity required to be a member of the campus community and society.

These conditions will vary with each case and may result in restrictions that are not academically restrictive and are intended to be educational. A student may be required to participate in a mentoring and/or counseling assessment as designated by the appropriate hearing body.

The imposition of sanctions and special conditions is based upon the severity of the behavior exhibited by the student and the subsequent review of any past disciplinary actions and their outcomes with the student. Repeated offenses are viewed less favorably by hearing bodies and can result in more severe sanctions, including suspension or expulsion from the College. It is incumbent upon students to learn how to make decisions that ensure their compliance with the College's community standards and reduce the likelihood of repeat offenses.

**Repeat Offenses:** Students who are found responsible for a Code violation and receive a sanction must make every effort to ensure they do not have a repeat offense. It is College policy that a student currently on a sanction cannot receive a lesser sanction for a second offense, and that the minimum sanction for a second offense is an extension of the current sanction. An extension can only be granted to students once while under sanction. Should a student have a third offense while on an extended sanction, the *minimum sanction* they can receive is the next highest sanction.

### Types of Sanctions

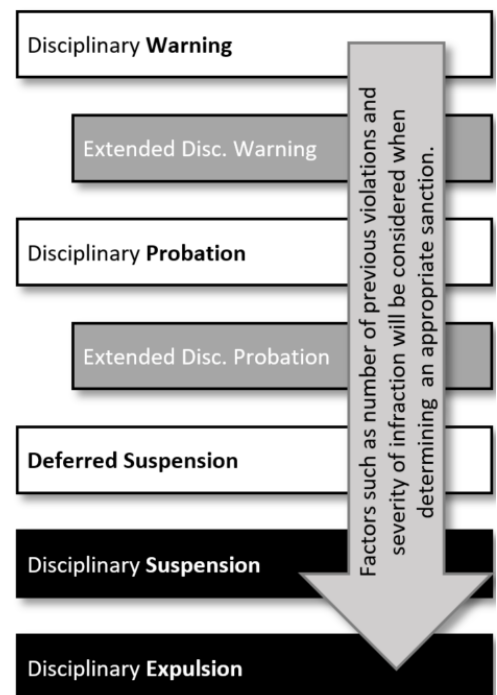
All disciplinary status levels listed below are subject to special conditions (specific restrictions and/or extra requirements) as deemed appropriate by the hearing officer/body.

**Disciplinary Warning:** A Warning is an official notification to the student that their behavior has been unacceptable. Any additional misconduct may result in further disciplinary action. Disciplinary Warning is for a specific period during which further violations of College regulations will result in more serious sanctions.

**Disciplinary Probation:** Probation indicates to a student that their behavior has resulted in a sanction near suspension and is imposed for a definite period. Any further finding of misconduct while on probation may result in a student's suspension from the College.

**Deferred Suspension:** Deferred Suspension is used for offenses deemed serious enough to warrant suspension, but where the specific circumstances of the case mitigate the offense, or due to *repeated* offenses of a less serious nature.

**Disciplinary Suspension:** Suspension prohibits the student from attending Alfred State and from being present on College property without permission from the Vice President of Student Affairs (or their designee). *Any person in violation*



*of this provision will be subject to arrest, possible fine, and/or incarceration for criminal trespass (sections 140.10 and 140.15 of the NYS Penal Law). If required by the sanction, students who have been suspended must petition for re-enrollment through the vice president for student affairs or designee. Additional conditions for readmission may be specified. Suspension will be noted on the student's permanent educational record.*

A decision of suspension terminates the person's status as an enrolled student and prohibits the student from attending classes. Students who reside on campus shall remove their belongings from their place of residence within 24 hours of notice that the penalty of suspension has been rendered. Reinstatement of conditions, if any, shall depend upon an evaluation by the vice president for student affairs or designee following the application for reinstatement by the student. *Students who are suspended from the College will not receive any credit for the classes enrolled in at the time of the infraction, and residential students are also responsible for full payment of all fees (room, board, and college fees) and will not be eligible for any reimbursement.*

**Disciplinary Expulsion:** Expulsion prohibits the student from attending Alfred State and from being present without permission from the vice president of student affairs (or designee) on the property. *Any person violating this provision will be subject to arrest, possible fine, and/or incarceration for trespassing.* Expulsion will be noted on the student's permanent education record.

A decision of expulsion terminates the person's status as an enrolled student with no opportunity for reinstatement. An expelled student may not enter any part of the campus without specific authorization from the vice president for student affairs. Students who reside on campus shall remove their belongings from their place of residence within 24 hours of notice that the penalty of expulsion has been rendered. *Students who are expelled from the College will not receive any credit for the classes enrolled in at the time of the infraction, and residential students are also responsible for full payment of all fees (room, board, and college fees) and will not be eligible for any reimbursement.*

A record of disciplinary sanctions may impact a student's ability to be a resident assistant, student government officer, orientation leader, judicial board member, etc., or participate in international study programs. Such a record must be reported on most law school applications, state bar examiner reports, medical school applications, graduate school forms, college transfer forms, and job applications - particularly for federal or state positions.

## Types of Special Conditions

Special conditions are the method by which a hearing officer or hearing panel can individualize a student's disciplinary outcome. Special conditions are imposed if it is believed they can help in the growth and development of a student, protect the student or the community, or help to make the community whole.

It is the student's responsibility to provide the hearing officer with documentation that they have complied with the special condition. Examples include copies of an apology letter, a note signed by the supervisor that a community service project has been completed, and a written release from a counselor that an alcohol assessment has been completed. Examples of special conditions are listed below:

- **Administrative Relocation:** Requirement to relocate to another room within the residence hall system.
- **Community Restitution:** The philosophy of community restitution is based on the premise that if a student has been found in violation of community standards, they have taken something away from the Alfred State community. Therefore, the College expects students to assume responsibility for their behavior and restore something to the community. Community restitution may take the form of a service project or financial



responsibility, which provides the student with the opportunity to reflect upon their decision-making, the consequences involved with those decisions, as well as the ability to contribute to the community positively. Many of these activities are coordinated through the Office of Student Conduct.

- **Counseling Assessment:** A student may be required to complete a comprehensive substance abuse assessment and/or treatment program and/or a psychological/psychiatric assessment.
- **Educational Project:** Completion of a project specifically designed to help the student understand why the Community Standards violation was inappropriate.
- **Housing Prohibition:** Permanent separation of the student from the residence halls. A person denied campus residency is prohibited from entering any residence hall. *Any person violating this provision can be subject to arrest, possible fine, and/or incarceration for trespassing.*
- **Loss of Privileges:** Denial of specified privileges for a defined period (e.g., guests, computer, housing selection, residence hall visitation, operating a motor vehicle on campus, possessing/using sound-amplifying equipment in residence, serving as an officer of any recognized student organization (which include varsity sports, intramurals, musical groups, theatrical groups), dining services, representing the College, co-curricular activities, work-study, participating in graduation ceremonies, etc.).
- **No-Contact Order:** A *no-contact order* is a condition imposed in instances where it is determined that a student poses a potential threat to another. This condition, specific to a person and/or location, would prohibit the subject of the condition from having any further direct or indirect contact, including e-mail, mail, telephone, etc., with the offended individual. In addition, such a condition prohibits contact by third parties on their behalf. A no-contact condition may be imposed either before a hearing or as part of a disciplinary outcome. Violations of no-contact orders may result in additional disciplinary charges and interim suspension.
- **Parental/Guardian/Administrative Notification:** The proper college authorities shall be notified of any sanction. In addition, when students are found responsible for the use, possession, and/or distribution of alcohol and/or illegal substances, the College reserves the right to notify students' parents/guardians.
- **Restitution:** Compensation for loss, damage, or injury. This may take the form of monetary (financial restitution) and/or material replacement.
- **Residency Probation:** Official reprimand/notice to the student that their housing status is in jeopardy for a defined period. Future violations of Community Standards may subject the student to *Revocation of Housing Contract or Housing Prohibition*.
- **Revocation of Housing Contract:** Revocation of housing contract is for a defined period after which the student is eligible to return. A person denied campus residency is prohibited from entering any residence hall. *Any person violating this provision will be subject to arrest, possible fine, and/or incarceration for trespassing.* Additional conditions for readmission may be specified.

Other special conditions may be imposed in addition to those listed above if the hearing officer believes they may aid in the growth or development of the student, protect the student or the community, or help to make the community or individual members whole.

## Appeals

Students may choose to appeal the decisions of student conduct panels or administrative hearing officers. To initiate an appeal, the student must submit a written appeal within two (2) days of notification of the results of the hearing. The College can only accept appeals from the respondent. It cannot accept appeals from third parties (e.g., parents, faculty, staff, and friends). All appeals must be submitted in writing to the Office of Student Conduct. A three-person panel appointed by the vice president for student affairs will review all appeals where a sanction of suspension or expulsion was imposed or if a Student Conduct Committee panel heard the case. All other appeals are heard by the associate dean for student conduct unless the associate dean heard the case, and a sanction of suspension or expulsion was not imposed. In such instances, those appeals will be reviewed by the vice president for student affairs. Students who have been sanctioned with suspension or expulsion may request to listen to the audio recording made during the hearing before their submission of an appeal letter.

An appeal must be in writing, and its scope shall be limited to the following:

- (a) **Question of Fact:** Students may appeal on “questions of fact” by introducing new evidence that would significantly affect the outcome of the case. Evidence that comes forward that was not known by the accused shall be considered new evidence. Evidence that was withheld by a student shall not constitute a question of fact, nor is it to be considered upon appeal.
- (b) **Question of Procedure:** Appeals will be considered based on “questions of procedure” by demonstrating that the procedural guidelines established in this document were breached and that such departure from the established procedure significantly affected the outcome of the case.
- (c) **Severity of Sanction:** Students may appeal the “severity of sanction” that has been imposed by presenting a statement explaining why they feel the penalty is too severe.

Appeals are considered for breach of procedure when the procedure in question directly affects the disciplinary decision rendered. For example, the time of notification of a disciplinary decision could result in a procedural breach but would have had no impact on how the decision was initially rendered by a panel. Thus, no grounds for appeal would be granted. However, if the hearing chair, per se, failed to allow the respondent or complainant to ask questions in the hearing related to the charges imposed, such action may constitute a procedural breach that eventually affected how the panel reached a decision. As a result, a respondent might assert that this type of procedural breach was grounds to submit an appeal.

All facts and evidence related to the case shall be reviewed by the appellate panel (or associate dean for student conduct) to determine whether just cause exists to overturn the Student Conduct Committee’s recommendation/administrative hearing officer’s decision. If just cause is demonstrated to exist, then the appellate officer may choose to rehear the case or modify the sanction and/or special conditions imposed. Such modification can include decreasing *or increasing* the severity and/or duration of the sanctions/special conditions. If no just cause is demonstrated to exist, the appellate officer shall notify the student in writing of why the appeal was denied. This action shall be final and is not subject to further appeal.

## Transcript Notation Policy

In accordance with New York Education Law Article 129-B, for crimes of violence, including, but not limited to sexual violence, that meet the reporting requirements under the Federal Clery Act established in 20 U.S.C. 1092 (F) (1) (F) (I) (I) – (VIII), Alfred State will make a notation on the transcript of students found responsible after a conduct process that they were “Suspended after a finding of responsibility for a Code of Conduct violation” or “Expelled after a finding of responsibility for a Code of Conduct violation.” For the respondent who withdraws from Alfred State while such conduct charges are pending, the College shall make a notation on the transcript of such students that they “Withdrew with conduct charges pending.”

These same transcript notations will also be made in the event of suspensions or expulsions resulting from conduct that does not otherwise meet the crime-reporting definitions noted above. In addition, a transcript notation will be made when a student is placed on an interim suspension status pending the outcome of a disciplinary hearing.

After one year following the conclusion of a suspension, students may appeal to have the transcript notation removed. Appeals must be submitted in writing to the vice president for student affairs. Notations for expulsion may not be considered for removal.

## Ineligibility of Refunds

Students who are suspended or expelled from the College are ineligible for a tuition or fee refund, including but not limited to room, board, student activity fees, and lab fees.

## OTHER ADMINISTRATIVE ACTIONS

### Parent/Guardian Notification Guidelines

Alfred State believes that a successful educational process is a partnership between individuals and the institution. This belief served as a basis for the adoption of the College's Principles of Community and the Student Code of Conduct. In recognition of these partnerships and of the following:

- Whereas excessive, abusive, illegal, and/or repetitive use of alcohol and/or illegal substances is inconsistent with the maintenance of the educational environment;
- Whereas illegal use and/or possession of alcohol or illegal substances generally represents violations of law and campus regulations;
- Whereas excessive, abusive, illegal, and/or repetitive use of alcohol and/or illegal substances threatens the well-being of individuals and property and tends to diminish students' opportunities for personal growth, intellectual development, and academic success; and
- Whereas students' parents or guardians are respected for their roles as partners with the College in supporting the students' personal and academic success;

The vice president for student affairs (or designee) will consider the following when determining whether to notify the parent or guardian of a student under the age of 21 of the student's conduct:

- The violation involves harm or threat of harm to persons or property;
- The violation involves an arrest in which the student was taken into custody;
- The violation results in or could result in the student's being suspended from the College and/or removed from the residence hall;

- The student has shown a pattern of violations, even if they are minor. Two or more violations associated with illegal substances and/or alcohol use would be reasonable cause for notice;
- The student who commits the violation(s) became physically ill or/or required medical intervention as a result of consumption of alcohol or illegal substances.

Furthermore,

- Nothing in these guidelines shall prevent College officials from notifying parents or guardians of health or safety emergencies, regardless of the conduct status of the student.
- Nothing in these guidelines should preclude the College from notifying parents or guardians when students under the age of 21 are involved in a group activity off campus in which the students' organization is found to have violated College policy concerning the use and/or consumption of alcohol or illegal substances.
- The vice president for student affairs may delegate the notification of parents/guardians to other College officials under the vice president's supervision.
- Whenever possible, students will be informed in advance when parent/guardian notification is planned.

## Records

Disciplinary records will be retained in the Office of Student Conduct according to SUNY's *Records Retention and Disposition* policy (Document No. 6609) as detailed below:

- (a) Student conduct records pertaining to major code of conduct violations and drug and alcohol policy violations including but not limited to suspension notice, suspension hearing record, probationary condition adherence record, expulsion records, correspondence, fine assessment, and related records shall be retained for a minimum of 7 years after the end of the academic year they were created.
- (b) Student disciplinary records pertaining to minor code of conduct violations will be retained for a minimum of 3 years after the end of the academic year they were created.

Additionally, if a student discontinues enrollment with disciplinary allegations/charges pending, a hold may be placed on their account, preventing re-enrollment until those allegations are adjudicated.

Student disciplinary records will be confidential except to "authorized College personnel" engaged in authorized functions regarding the examination of records. Records of disciplinary proceedings shall remain in the custody of the College. Records may be released to an outside agency only through a signed release from the student or a court subpoena. The College will process any request for release of a disciplinary record that is consistent with the records management policy noted above. For records under section (a), the College would respond that the student does not have a disciplinary record or history once the record is destroyed. If the student does not specify what part of the disciplinary record they want released, the College can choose to provide a summary of the disciplinary record or the complete disciplinary record (e.g., charge letter, disciplinary decision, appeal). The College may also choose to redact portions of the record that provide personally identifiable information about other students or victims before release. In accordance with the Family Educational Rights and Privacy Act (FERPA), the College reserves the right to release a student's information to parents/guardians if that student is claimed as a dependent.

“Authorized College personnel” shall be deemed to include College officials with responsibilities governing student conduct, judicial hearing board members, judicial appeal officers, administrative personnel responsible for maintaining student records, members of the College community authorized under the “need to know” clause of the Family Educational Rights and Privacy Act, and any other official authorized in writing by the vice president for student affairs. “Need-to-know” officials are defined as College officials whose work is directly affected by information contained in the disciplinary record. Students shall be notified in writing that their disciplinary records have been released to “need to know” parties. Except for sanctions of expulsion, suspension, and a special failing grade (with violations of academic dishonesty), disciplinary sanctions do not appear on college transcripts. Students who are expelled, suspended, or separated from the college through involuntary withdrawal procedures will be prohibited from receiving clearance for readmission or reinstatement until the specific penalty or required remedial action has been carried out according to the student’s notice of disciplinary or administrative action.

College policies concerning other educational records can be found in the respective departments responsible for maintaining those records. Students should also be aware that certain records do not fall under the definition of “educational records” as prescribed by FERPA. However, other federal and state laws govern the level and degree of confidentiality pertaining to these “non-educational” student records. Non-educational records include employment records, records maintained by University Police, and records of physicians, psychiatrists, psychologists, and counselors acting in their professional capacity.

## Appendix A

### Sexual Violence Victim/Survivor Bill of Rights

The State University of New York and Alfred State are committed to providing options, support, and assistance to victims/survivors of sexual assault, domestic violence, dating violence, and/or stalking to ensure that they can continue to participate in College/University-wide and campus programs, activities, and employment. All victims/survivors of these crimes and violations, regardless of race, color, national origin, religion, creed, age, disability, sex, gender identity or expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction, have the following rights, regardless of whether the crime or violation occurs on campus, off campus, or while studying abroad:

#### All students have the right to:

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

#### Options in Brief:

Victims/survivors have many options that can be pursued simultaneously, including:

- Receiving resources, such as counseling and medical attention.
- Confidentially or anonymously disclosing a crime or violation (for detailed information on confidentiality and privacy, visit <https://www.alfredstate.edu/student-life/center-for-equity/title-ix>)
- Making a report to:
  - An employee with the authority to address complaints, including the Title IX Coordinator, a Student Conduct employee, or a Human Resources employee.
  - University Police;
  - Local law enforcement; and/or
  - Family Court or Civil Court.



## Appendix B

### Sexual Violence Response Policy

In accordance with the Victim/Survivor Bill of Rights, victims/survivors shall have the right to pursue more than one of the options below at the same time, or to choose not to participate in any of the options below:

#### I- Reporting:

- To report *confidentially* the incident to one of the following college officials, who by law may maintain confidentiality, and can assist in obtaining services (more information on confidential report is available in the Options for Confidentially Disclosing Sexual Violence Policy in Appendix C):
  - Anonymously via the Alfred State University Police Silent Witness Reporting Form:
    - <https://www.alfredstate.edu/webforms/silent-witness>
  - Health & Wellness Services
    - (607) 587-4200
- To *confidentially* disclose the incident and obtain services from the New York State, New York City or county hotlines: <http://www.opdv.ny.gov/help/dvhotlines.html>. Additional disclosure and assistance options are cataloged by the Office for the Prevention of Domestic Violence and presented in several languages: <https://opdv.ny.gov/language-access> (or by calling 1-800-942-6906), and assistance can also be obtained through:
  - Legal Momentum
    - <https://www.legalmomentum.org/>
  - NYSCASA
    - <http://nyscasa.org/responding>
  - NYSCADV
    - <http://www.nyscadv.org/>
  - Pandora's Project
    - <http://www.pandys.org/>
  - RAINN
    - <https://www.rainn.org/get-help>
  - Safe Horizons
    - <http://www.safehorizon.org/>
  - SS. Brendan & St. Jude Parish
    - <https://www.icc-ics.com/st-brendan-and-judes-parish>
  - Connecting Communities in Action
    - <http://www.ccaction.org/>
  - ACCORD
    - <http://www.accordcorp.org/>
  - Planned Parenthood of the Southern Finger Lakes
    - <https://www.plannedparenthood.org/planned-parenthood-southern-finger-lakes>
  - SUNY Sexual Assault & Violence Response (SAVR) Resources
    - <https://www.suny.edu/violence-response/>
  - Allegany County Department of Health
    - <http://www.alleganyco.com/health-department/>

*Note that hotlines are for crisis intervention, resources, and referrals, and are not reporting mechanisms, meaning that disclosure on a call to a hotline does not provide any information to the campus. Victims/survivors are encouraged to additionally contact a campus confidential or private resource so that the campus can take appropriate action in these cases.*

- To report the incident to one of the following college officials who can offer *privacy* and can assist in obtaining resources (note that an official who can offer privacy may still be required by law and college policy to inform one or more college officials about the incident, including but not limited to the Title IX Coordinator):
  - Title IX Coordinator & Deputy Coordinators
    - (607) 587-4325
    - <http://www.alfredstate.edu/student-life/center-for-equity>
  - University Police
    - (607) 587-3999
    - <http://www.alfredstate.edu/university-police>
- To file a criminal complaint with University Police and/or with local law enforcement:
  - Alfred State University Police
    - Theta Gamma House, 10 Upper College Dr., Alfred, NY 14802
    - (607) 587-3999
  - Alfred Village Police
    - 7 West University St., Alfred, NY 14802
    - (608) 587-8877
  - New York State Police  
(585) 344-6200
- To file a report of sexual assault, domestic violence, dating violence, and/or stalking, and/or talk to the Title IX Coordinator for information and assistance. Reports will be investigated in accordance with Alfred State policy. If a victim/survivor wishes to keep their identity private, they may call any Title IX Deputy Coordinator anonymously to discuss the situation and available options:
  - <http://www.alfredstate.edu/student-life/center-for-equity>
- When the accused is an employee, a victim/survivor may also report the incident to University Police (607-587-3999), Human Resources (607-587-4025), Title IX Coordinator (607-587-4325), or may request that one of the above-referenced confidential or private employees assist in reporting to Human Resources. Disciplinary proceedings will be conducted in accordance with applicable collective bargaining agreements. When the accused is an employee of an affiliated entity or vendor of the college, college officials will, at the request of the victim/survivor, assist in reporting to the appropriate office of the vendor or affiliated entity and, if the response of the vendor or affiliated entity is not sufficient, assist in obtaining a persona non grata letter, subject to legal requirements and college policy.
  - University Police, Theta Gamma House, (607) 587-3999
  - Human Resources Office, Huntington Admin. Building, (607) 587-4025.
  - Title IX Coordinator, Student Leadership Center, (607) 587-4325.



- You may withdraw your complaint or involvement from the Alfred State process at any time.

## **II- Resources:**

- To obtain effective intervention services:
  - Alfred State Health & Wellness Services (no charge for services)
    - T.A. Parish Hall
    - 607-587-4200
  - Cattaraugus Community Action
    - 24-Hour Crisis Hotline: 1-888-945-3970
    - <http://www.ccaction.org/victim-services/>
- Additional Information:
  - Sexual contact can transmit Sexually Transmitted Infections (STI) and may result in pregnancy. Testing for STIs and emergency contraception is available Allegany County Department of Health.
    - <http://www.alleganyco.com/health-department/>
    - (585) 268-9250
  - Within 96 hours of an assault, you can get a Sexual Assault Forensic Examination (commonly referred to as a rape kit) at a hospital. While there should be no charge for a rape kit, there may be a charge for medical or counseling services off campus and, in some cases, insurance may be billed for services. You are encouraged to let hospital personnel know if you do not want your insurance policyholder to be notified about your access to these services. The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency funds. More information may be found here: <https://ovs.ny.gov/system/files/documents/2022/06/rights-crime-victims-booklet.pdf>, or by calling 1-800-247-8035. Options are explained here: [https://ovs.ny.gov/system/files/documents/2022/06/rights\\_of\\_crime\\_victims.pdf](https://ovs.ny.gov/system/files/documents/2022/06/rights_of_crime_victims.pdf).

## **III- Protection and Accommodations:**

- When the accused is a student, to have the college issue a “No Contact Order,” meaning that continuing to contact the protected individual is a violation of college policy subject to additional conduct charges; if the accused and a protected person observe each other in a public place, it is the responsibility of the accused to leave the area immediately and without directly contacting the protected person.
- To have assistance from University Police or other college officials in obtaining an Order of Protection or, if outside of New York State, an equivalent protective or restraining order.
- To receive a copy of the Order of Protection or equivalent and have an opportunity to meet or speak with a college official who can explain the order and answer questions about it, including information from the Order about the accused’s responsibility to stay away from the protected person(s); that burden does not rest on the protected person(s).

- To an explanation of the consequences for violating these orders, including but not limited to arrest, additional conduct charges, and interim suspension.
- To have assistance from University Police in effecting an arrest when an individual violates an Order of Protection or, if outside of New York State, an equivalent protective or restraining order within the jurisdiction of University Police or, if outside of the jurisdiction or to call on and assist local law enforcement in effecting an arrest for violating such an order.
- When the accused is a student and presents a continuing threat to the health and safety of the community, to have the accused subject to interim suspension pending the outcome of a conduct process.
- When the accused is not a member of the college community, to have assistance from University Police or other college officials in obtaining a persona non grata letter, subject to legal requirements and college policy.
- To obtain reasonable and available interim measures and accommodations that effect a change in academic, housing, employment, transportation, or other applicable arrangements to ensure safety, prevent retaliation, and avoid an ongoing hostile environment. While victims/survivors may request accommodations through any of the offices referenced in this policy, the following office can serve as a point to assist with these measures:
  - **Title IX Coordinator**
    - Antoinette Gress, Title IX Coordinator & Director of Community Standards
      - Student Leadership Center, 409B  
10 Upper College Dr., Alfred, NY 14802
      - Phone: 607-587-4325
      - Email: [GressAM@alfredstate.edu](mailto:GressAM@alfredstate.edu)

## Appendix C

### Options for Confidentially Disclosing Sexual Violence

The State University of New York and Alfred State want you to get the information and support you need regardless of whether you would like to move forward with a report of sexual violence to campus officials or police. You may want to talk with someone about something you observed or experienced, even if you are not sure that the behavior constitutes sexual violence. A conversation where questions can be answered is far superior to keeping something to yourself. Confidentiality varies, and this document is aimed at helping you understand how confidentiality applies to different resources that may be available to you.

#### In this Policy:

- Privileged and Confidential Resources
- Non-Professional Counselors and Advocates
- Privacy versus Confidentiality
- Requesting Confidentiality: How the College/University Will Weigh the Request and Respond
- Public Awareness/Advocacy Events
- Anonymous Disclosure
- Institutional Crime Reporting

#### Privileged and Confidential Resources:

Individuals who are *confidential* resources will not report crimes to law enforcement or college officials without your permission, except for extreme circumstances, such as a health and/or safety emergency. At Alfred State, confidential resources can be accessed through:

- **Alfred State's Health & Wellness Centers:**
  - TA Parish Hall
    - <http://www.alfredstate.edu/student-life/health-and-wellness-services>
    - 10 Upper College Dr., Alfred, NY 14802
    - Phone: 607-587-4200
  - Pioneer Student Union (PSU)
    - <http://www.alfredstate.edu/student-life/health-and-wellness-services>
    - 2530 River Rd., Wellsville, NY 14895
    - Phone: 607-587-3141
- **Individuals serving in a pastoral role under St. Jude's Center for Catholic Campus Ministry:**
  - St. Jude's Center
    - <http://ssbjparish.net/contact-directions>
    - Lower College Dr., Alfred, NY 14802
    - Phone: 607-587-9411

#### Off-campus counselors and advocates.

Crisis services offices will generally maintain confidentiality unless you request disclosure and sign a consent or waiver form. More information on an agency's policies on confidentiality may be obtained directly from the agency. Off-campus options to disclose sexual violence *confidentially* do not provide any information to the campus and include:

- **Cattaraugus Community Action, Inc.**
  - <http://www.ccaction.org/programs/victim-services/>
  - 85 North Main Street #1, Wellsville, NY 14895
  - 1-888-945-3970 or 585-593-4685
    - Provides victim compensation claims assistance through the New York State Office of Victim Services
- **Sexual Assault Resource Center**
  - [www.sarcst.org](http://www.sarcst.org)
  - 135 Walnut St., Corning, NY 14830
  - Phone: 1-888-810-0093
- **Jones Memorial Hospital**
  - Sexual Assault Nurse Practitioner (SANE)
    - <http://www.jmhny.org/>
    - 191 North Main Street, PO Box 72, Wellsville, NY 14895-0072
    - Phone: 585-593-1100
- **Additional Resources**
  - New York State Coalition Against Sexual Assault
    - <http://nyscasa.org/>
  - SUNY Sexual Violence Response Policy
    - <http://system.suny.edu/sexual-violence-prevention-workgroup/policies/response/>

Off-campus healthcare providers. Please note that medical office and insurance billing practices may reveal information to the insurance policyholder, including medication and/or examinations paid for or administered. Local off-campus healthcare providers include:

- **Jones Memorial Hospital**
  - <http://www.jmhny.org/>
  - 191 North Main Street, PO Box 72, Wellsville, NY 14895-0072
  - Phone: 585-593-1100
  - Email: [we\\_care@jmhny.org](mailto:we_care@jmhny.org)
- **St. James Mercy Hospital**
  - <http://www.stjamesmercy.org/>
  - 7329 Seneca Road North, Hornell, NY 14843
  - Phone: 607-247-2200
  - Email: [SJHInformation@URMC.Rochester.edu](mailto:SJHInformation@URMC.Rochester.edu)
- **Noyes Memorial Hospital**
  - <https://www.noyes-health.org/>
  - 111 Clara Barton St., Dansville, NY 14437
  - Phone: 585-335-6001

The New York State Office of Victim Services may be able to assist in compensating victims/survivors for health care and counseling services, including emergency compensation. More information may be found here: <https://ovs.ny.gov/help-crime-victims>, or by calling 1-800-247-8035.

*Please note that even individuals who can typically maintain confidentiality are subject to exceptions under the law, including when an individual is a threat to themselves or others and the mandatory reporting of child abuse.*

### **Non-Professional Counselors and Advocates:**

Non-professional counselors and advocates can also assist you without sharing information that could identify you. At Alfred State, this includes members of the college's Title IX/Bias Response Committee; specifically, the Title IX Coordinator and Deputy Coordinators:

- **Title IX Coordinator**
  - Antoinette Gress, Title IX Coordinator & Director of Community Standards
    - Student Leadership Center, 409B  
10 Upper College Dr., Alfred, NY 14802
    - Phone: 607-587-4325
    - Email: [GressAM@alfredstate.edu](mailto:GressAM@alfredstate.edu)

These individuals will report the nature, date, time, and general location of an incident to Alfred State's Title IX Coordinator but will consult with you to ensure no personally identifying details are shared without your consent. These individuals **are not** considered confidential resources as discussed above.

### **Privacy versus Confidentiality:**

Even Alfred State offices and employees who cannot guarantee *confidentiality* will maintain your *privacy* to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible under the law for tracking patterns and spotting systemic issues. Alfred State will limit the disclosure as much as possible, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

### **Requesting Confidentiality: How Alfred State Will Weigh the Request and Respond:**

If you disclose an incident to an Alfred State employee who is responsible for responding to or reporting sexual violence or sexual harassment but wish to maintain confidentiality or do not consent to the institution's request to initiate an investigation, the Title IX Coordinator must weigh your request against our obligation to provide a safe, non-discriminatory environment for all members of our community, including you.

We will assist you with academic, housing, transportation, employment, and other reasonable and available accommodations regardless of your reporting choices. While victims/survivors may request accommodations through several college offices, the following office can serve as a primary point of contact to assist with these measures:

- **Title IX Coordinator**
  - Antoinette Gress, Title IX Coordinator & Director of Community Standards
    - Student Leadership Center, 409B  
10 Upper College Dr., Alfred, NY 14802
    - Phone: 607-587-4325
    - Email: [GressAM@alfredstate.edu](mailto:GressAM@alfredstate.edu)

We also may take proactive steps, such as training or awareness efforts, to combat sexual violence in a general way that does not identify you or the situation you disclosed.

We may seek consent from you before conducting an investigation. You may decline to consent to an investigation, and that determination will be honored unless the Alfred State's failure to act may result in harm to you or other members of the Alfred State community. Honoring your request may limit our ability to meaningfully investigate and pursue conduct action against an accused individual. If we determine that an investigation is required, we will notify you and take immediate action as necessary to protect and assist you.

When you disclose an incident to someone responsible for responding to or reporting sexual violence or sexual harassment but wish to maintain confidentiality, Alfred State will consider many factors to determine whether to proceed despite that request. These factors include, but are not limited to:

- Whether the accused has a history of violent behavior or is a repeat offender.
- Whether the incident represents escalation, such as a situation that previously involved sustained stalking.
- The increased risk that the accused will commit additional acts of violence.
- Whether the accused used a weapon or force.
- Whether the victim/survivor is a minor; and
- Whether we possess other means to obtain evidence such as security footage, and whether the report reveals a pattern of perpetration at a given location or by a particular group.

#### **Public Awareness/Advocacy Events:**

If you disclose a situation through a public awareness event such as “Take Back the Night,” candlelight vigils, protests, “Tunnel of Oppression,” or another public event, Alfred State is not obligated to begin an investigation. Alfred State may use the information you provide to inform the need for additional education and prevention efforts.

#### **Anonymous Disclosure:**

At Alfred State, the University Police Department provides an online form for reporting crimes:

- <http://www.alfredstate.edu/webforms/silent-witness>

The New York State Hotline for Sexual Assault and Domestic Violence provides crisis intervention, resources, and referrals but *is not* a reporting mechanism.

- Hotline: 1-800-942-6906

#### **Institutional Crime Reporting:**

Reports of certain crimes occurring in certain geographic locations will be included in the Alfred State Clery Act Annual Security Report in an anonymized manner that neither identifies the specifics of the crime nor the identity of the victim/survivor. For assistance accessing this information or questions about how it is used, please contact University Police, the Title IX Coordinator, or Deputy Coordinators.

Alfred State is obligated to issue timely warnings of Clery Act crimes occurring within relevant geography that represent a serious or continuing threat to students and employees (subject to exceptions when potentially compromising law enforcement efforts and when the warning itself could potentially identify the victim/survivor). A victim/survivor will never be identified in a timely warning.

The Family Educational Rights and Privacy Act allows institutions to share information with parents/guardians when (1) there is a health or safety emergency, or (2) when the student is a dependent on the parent/guardian’s prior year federal income tax return. Generally, Alfred State will not share information about a report of sexual violence with parents/guardians without the permission of the victim/survivor.

This document was developed from the SUNY Policies on Sexual Violence Prevention and Response (December 1, 2014).

## Appendix D



# Alfred State College Anti-Hazing Policy & Procedure

## Anti-Hazing Policy Statement

Hazing is abusive, degrading, psychologically damaging, and may be life-threatening. It is unacceptable in all forms and has no place in the Alfred State community. Student groups, organizations, and athletic teams are vital contributors to a vibrant and positive campus and are expected to adhere to the Student Code of Conduct and treat others with respect. Hazing by individuals and student organizations is strictly prohibited in all forms, on and off campus. Alfred State's anti-hazing policy has been developed to comply with the [Stop Campus Hazing Act](#) and New York State [Education Law Section 6430 \(1\)](#).

## Definitions

### ➤ Hazing

Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with others) against another person, regardless of the willingness of such other person to participate, that:

- Is committed during initiation into, affiliation with, or the maintenance of membership in a student organization; and
- Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury. The following are *examples* of conduct that causes or creates such a risk:
  - Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;

- Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
- Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
- Causing, coercing, or otherwise inducing another person to perform sexual acts;
- Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
- Any activity against another person that includes a criminal violation of applicable local, [insert applicable state name] State, Tribal, or Federal law; and
- Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Under New York State Penal Law, a person can be found guilty of hazing in the first degree (a Class A misdemeanor) if the person is found to be “intentionally or recklessly engaging in conduct which creates a substantial risk of physical injury to such other person or a third person and thereby causes such injury” (Penal Law, 120.16). An offense designated as hazing in the second degree (a violation) incorporates a nearly identical definition except that no actual injury to any person needs to be proved (Penal Law, 120.17). Being convicted of this offense can result in a sentence of up to 15 days in jail, a monetary fine, and community service obligations.

### ➤ **Student Organization**

An organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether the organization is established or recognized by the institution.

## **Reporting Incidents of Hazing**

Alfred State encourages the reporting of hazing incidents and takes every report seriously. The College will investigate all reports diligently and thoroughly in accordance with the Student Code of Conduct and any other applicable policies and procedures. Individuals and organizations found responsible for committing, soliciting, encouraging, directing, aiding, or recklessly permitting hazing to occur will be subject to disciplinary sanctions, including suspension and expulsion.

Any person may report hazing in person, by mail, by telephone, or by electronic mail to the campus office designated to receive hazing reports, using the contact information listed below, or by utilizing the online reporting form.



- **Options for Reporting Hazing:**

- Office of Student Conduct & Community Standards
  - Town House Commons Building, 10 Upper College Dr., Alfred, NY 14802
  - [StudentConduct@alfredstate.edu](mailto:StudentConduct@alfredstate.edu)
  - Phone: 607-587-4065
- Online Reporting Form
  - <https://bit.ly/ascincident>

## **Private and Confidential Reporting**

Alfred State College respects the privacy of individuals reporting hazing (i.e., complainants) but cannot guarantee confidentiality. Information shared with non-confidential resources will be disclosed only as necessary to investigate, seek a resolution, or comply with college policies and procedures, as well as applicable federal, state, and local laws.

Offices and officials who are confidential resources will not report to law enforcement or college officials without the complainant's permission, except in extreme circumstances, such as health or safety emergencies. Alfred State College offices that are considered confidential are as follows:

- **Alfred State's Health & Wellness Centers:**

- TA Parish Hall
  - <http://www.alfredstate.edu/student-life/health-and-wellness-services>
  - 10 Upper College Dr., Alfred, NY 14802
  - Phone: 607-587-4200
- Pioneer Student Union (PSU)
  - <http://www.alfredstate.edu/student-life/health-and-wellness-services>
  - 2530 River Rd., Wellsville, NY 14895
  - Phone: 607-587-3141

- **Individuals serving in a pastoral role at St. Jude Chapel:**

- St. Jude Chapel
  - <https://icc-ics.com/st-brendan-and-judes-parish>
  - Lower College Dr., Alfred, NY 14802
  - Phone: 607-587-9411

## **Special Consideration for Reporters of Hazing**

Students may hesitate to report hazing due to concerns about the consequences they may face for participating in the hazing activity. For this reason, students who act in good faith to report hazing and cooperate fully as witnesses in the investigation and disciplinary process may *not* be subject to student conduct action related to their involvement.

Consideration will be provided on a case-by-case basis, but the circumstances will be reviewed in a manner most favorable to the reporting party. However, this determination remains at the college's sole discretion. If information is later presented that the reporting student has continued to engage in hazing or has knowledge of hazing activity that was *not* reported, they may be held accountable for their past behavior.

Students who choose to report and request special consideration should be aware that a decision to forgo campus disciplinary action does not preclude any criminal or civil actions that may be taken by litigants or law enforcement agencies, including University Police.

## **Investigation Process**

After a report is received, Alfred State College will promptly review the submission to determine the appropriate course of action. If a report indicates *criminal* activity, University Police and/or local law enforcement will be involved. The College will investigate the circumstances and determine whether potential infractions of the Student Code of Conduct and/or any other applicable policies or procedures may have occurred. If the investigation indicates that hazing violations have occurred, the case will be referred to the appropriate hearing officer/body for adjudication.

## **Retaliation**

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Anti-Hazing Policy and Procedure. Complaints alleging retaliation may be filed with the Office of Student Conduct, University Police, and/or Human Resources. Any reports of retaliation involving an employee covered by a Collective Bargaining Agreement will be addressed through the appropriate processes.

## **Hazing Prevention and Awareness Programs**

Alfred State College offers regular, research-informed, campus-wide prevention programming that includes information related to institutional policies against hazing and primary prevention strategies aimed at stopping hazing before it occurs. This prevention and awareness programming includes skill-building for bystander intervention, information on ethical leadership, and the promotion of strategies for building group cohesion without hazing.