

# STOCKTON UNIVERSITY



## POLICY

### Campus Conduct Code

Policy Administrator: Executive Vice President and Chief of Staff

Authority: N.J.S.A. 18A: 64-6

Effective Date: January 29, 1975; February 16, 2011; May 2, 2018; September 23, 2020\*

Index Cross-References: III-148 Prohibition of Weapons

Policy File Number: I-55

Approved By: Board of Trustees

### POLICY:

- A. **Rights.** Stockton University recognizes members of the University community as full-fledged citizens bearing the rights and responsibilities of all other members of American society. In support of the University's mission, these basic rights include freedom to learn, freedom of speech, peaceful assembly, association, and/or protest, and also freedom from personal force, violence, abuse, or threats of the same.

As citizens, members of the campus community also have the right to their individual behavior, as long as it supports the University's educational mission and does not violate laws, cause material and substantial disruption to University operations, or interfere with the rights of others or the educational process. The University is not a sanctuary from the law, and the University does not stand *in loco parentis*.

- B. **Campus Conduct Code, Civil Law, and Civil Authorities.** The University is dedicated to the dissemination of knowledge, the pursuit of truth, the development of students, and the advancement of the general well-being of society. The information and Code of Conduct statements enumerated in this Policy contain essential principles that promote civil and respectful behavior that are fundamental to a realization of these goals. These principles are expressed through five values: integrity, community, social justice, respect, and responsibility. It is the responsibility of all Stockton community members to know the Code of Conduct, uphold the values, and refrain from prohibited conduct.

The following code statements govern the conduct of all administrators, faculty, staff, other employees, students, and all visitors, guests, and licensees and invitees while such persons are on the University campus or in University-owned or University-controlled facilities. Off-campus conduct and social media activity also may be subject to this Policy.

The prohibited behaviors described below compromise and negatively impact the University community and are contrary to the University's stated values. These Code statements shall not preclude enforcement of applicable federal, state, and local laws or ordinances. All persons who violate any law are subject to prosecution in federal, state, and municipal tribunals.

**C. Value Statement and Associated Prohibited Conduct:**

1. *Integrity:* University community members exemplify honesty, honor, and respect for the truth in all of their dealings. Behaviors that violate this value include but are not limited to:
  - a) Dishonesty: Cheating, plagiarism, or knowingly furnishing or possessing false, falsified, or forged materials, documents, accounts, records, identification, or the provision of such information to any University administrator, staff, or faculty.
  - b) Falsification: Forgery, alteration, or misuse of University documents, records, identification cards, other official University electronic files, the University's computerized systems, or other equipment.
  - c) Theft/Property Damage: Intentional and unauthorized taking of property, obtaining property under false pretenses, knowingly possessing, keeping, or receiving stolen property, or destroying or damaging, or threatening to destroy or damage property, or defacing state-owned or state-controlled property.
  - d) Unauthorized Access: Unauthorized access into and/or use of University facilities/equipment such as the library, galleries, classrooms, athletic facilities and equipment, electronic equipment (e.g., television/video equipment, computer software or hardware), and files (physical or electronic).
  - e) Collusion: Inciting, inducing, or aiding and abetting others to engage in any conduct or to perform acts prohibited by the Code of Conduct.
2. *Community:* University members build and enhance their community. Behaviors that violate this value include but are not limited to:
  - a) Disruptive behavior: Obstruction or substantial disruption of University activities or operations such as teaching, research, administration, disciplinary procedures, public service functions, or other authorized non-University activities which occur on University premises.
  - b) Weapons: Possession or use of a firearm, explosive, chemical, or

other dangerous weapon, facsimile weapon, or use of an object as a weapon, in contravention of federal, state or local laws, or University policies and procedures. Additional information pertaining to weapons on campus can be found within Policy III-148 Prohibition of Weapons.

- c) Unauthorized use: Unauthorized use or misuse of the University's name, logos and trademarks, finances, official signature, materials, and supplies (including stationery bearing the University's letterhead) or facilities (including computer facilities) or state owned or state-controlled property, for commercial, personal, or political purposes.
  - d) Tobacco: Smoking or tobacco use in any area of campus where smoking or tobacco use is prohibited. Smoking is defined as "the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device."
3. *Social Justice*: University members recognize that respecting the dignity of every person is essential to create and to sustain a flourishing environment. They understand and appreciate how their decisions and actions impact others and are just and equitable in their treatment of all members of the community. Behaviors that violate this value include but are not limited to:
- a) Discrimination: Conduct that prevents or excludes a member of the institution from engaging in educational programs and activities solely on the basis of the member's protected class status as outlined in the University's non-discrimination policies – Policy VI-28 and Policy I-120 – or other characteristics protected by law. In accordance with state and federal law, prohibited conduct includes racial profiling, i.e., any action undertaken for reasons of safety, security or public protection that relies on stereotypes about race, color, ethnicity, ancestry, religion, or place of origin rather than on reasonable suspicion, to single out an individual for greater scrutiny or different treatment. .
  - b) Harassment: Unwelcome conduct, whether a single act or a series of acts, based on or motivated by actual or perceived sex, gender, race, color, age, creed, national or ethnic origin, physical or mental disability, veteran status, pregnancy status, religion, sexual orientation, or other protected status that unreasonably interferes with, or denies the ability to participate in, or benefit from the University's educational or employment programs or activities. .
  - c) Hostile environment: Severe, pervasive, persistent, and objectively offensive conduct that creates an intimidating or offensive environment or other adverse setting that limits,

unreasonably interferes with, or denies the ability to participate in, or benefit from the University's educational or employment program or activities.

- d) Retaliation Intentional or materially adverse action against an individual who has made a report or complaint, testified, assisted, or participated or refused to participate in an investigation, proceeding, or hearing by any University student or employee. This does not apply to sanctions for failure to cooperate in an investigation.

4. *Respect*: University members show positive regard for each other and for the community. Behaviors that violate this value include but are not limited to:

- a) Harm: Action that intentionally or recklessly causes or threatens bodily harm, presents imminent danger, or endangers the health or safety of any person.
- b) Bullying and Cyberbullying: Repeated and/or severe aggressive conduct that intimidates or intentionally harms or controls another person physically or emotionally, or has the effect of insulting or demeaning any individual or group as to cause disruption in, or interference with, the orderly operation of the University; or infringes on the rights of a student or employee by interfering with the individual's education or employment opportunities or by severely or pervasively causing physical or emotional harm, and is not protected by law.
- c) Hazing: Endangering mental or physical health or safety of a student, or destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. Participation or cooperation by the person(s) being hazed does not excuse the violation.
- d) Sexual Misconduct: Sexual harassment, gender-based harassment and sexual violence such as dating violence, stalking, domestic violence, rape, sexual assault, sexual battery, and sexual coercion as consistent with applicable state, and federal laws and regulations.
- e) Indecency or Obscenity: Disruptive, lewd, indecent, or obscene conduct on or off University property or at a University-sponsored or University-supervised function.

5. *Responsibility*: University community members assume personal responsibility for civil conduct to themselves, to others, and to the community. Behaviors that violate this value include but are not limited to:

- a) Alcohol: Possession, consumption, distribution, or attempted distribution of alcoholic beverages in contravention of federal, state, or local laws regulations, or University policies and procedures or knowingly being present at the time of prohibited conduct.
- b) Drugs: Unauthorized possession, use, misuse, transfer, distribution or attempted distribution of legal drugs, illegal drugs, prescription drugs, controlled dangerous substances, or drug paraphernalia that are prohibited by state or federal laws or knowingly being present at the time of the prohibited conduct. Also prohibited is the use of any legally obtained drug, including alcohol, to the point where such use adversely affects the user's work performance.
- c) Failure to Comply: Refusal to comply with a request, directive, or order from a University official such as campus police officers, members of the University administrative staff or other authorized persons performing their official University duties and responsibilities.
- d) Other Policies: Violations of established policies, procedures, or regulations officially promulgated by the University and/or the State of New Jersey.
- e) Off Campus Behaviors: Off-Campus actions and/or behaviors that violate laws and regulations of federal, state, local agencies, or that violate the policies of the University. Please note that the use of social media off campus or concerning the University is governed by the same laws, policies, rules of conduct, and etiquette that apply to all other activities at or concerning the University. Even activities of a private nature conducted away from the University can subject you to disciplinary action if such activities reflect poorly on the University or interfere with the conduct of University business.

When there is an imminent danger to persons or property or when the University's resources are not adequate to sustain normal operations, the University President may request assistance from civil law enforcement officers.

Off-campus law enforcement officers have legal access to the campus at all times. When federal, state, or local law enforcement officers have reason to believe the law is being violated on the campus, they may take appropriate action on their own initiative absent the University's request or approval.

- D. **Compliance with Laws.** Members of the University community including administrators, faculty, staff, other employees, students, visitors, guests, licensees, and invitees must comply with University policies and procedures and

applicable local, state, and federal laws and regulations governing conduct at educational institutions. Questions related to the interpretation or applicability of a policy must be directed to the policy's administrator. Unresolved questions and/or interpretation of laws and regulations should be directed to the Office of General Counsel.

- E. **Code of Conduct Adjudication.** Campus Hearing Board Procedures 1032 and 1033, and the Sexual Misconduct Procedure outline the administrative processes for adjudicating Code of Conduct violations.

Review History:

	Date
Policy Administrator	07/24/2020
Divisional Executive	07/24/2020
General Counsel	07/22/2020
Cabinet	07/31/2020
President	08/07/2020
Board of Trustees	09/23/2020

\*A cross-reference to Policy III-148 was added on June 9<sup>th</sup>, 2021.