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Student Professional Conduct Code - Article 4 -
Prohibited Conduct

A. Section 1.

Guidelines

1. The university will protect the safety and well being of the campus community as well as university-related facilities and property. This right includes taking disciplinary action for offenses occurring off campus when in the determination of the judicial body they pose a substantial danger to, or adversely affect, the university community and/or the pursuit of its objectives.
2. The university will charge and sanction any student organization or group when prohibited conduct is engaged in or related to the activities and/or interests of that organization/group, or such conduct is engaged in by a collection of individuals representing the organization/group. For any given violation of this Code, action may be taken against individuals, student

organizations,
groups or any such
combination.

3. Being under the
influence of drugs
and/or alcohol
does not diminish
or excuse a
violation of the
Code, and may
result in more
severe sanctions.
4. Guests must
adhere to campus
policies. A student
whose guest(s) has
violated any
provision of this
Code shall be held
responsible for
such behavior, and
will face
appropriate
disciplinary action.
5. If a violation of
university rules
and/or regulations,
published in this or
other university
document or public
statement, occurs
which is also a
violation of law,
the university may
take disciplinary
action against
student offenders.
Such action is
independent of and
may proceed
before, during or
following civil or
criminal action.
Such actions are
not subject to
challenge on the
basis that civil or
criminal charges
involving the same
incident have been
reduced or

dismissed.
Normally the university does not adjudicate violations of policy

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campus, unless such violations have or foreseeably pose a threat of an adverse effect on the university community and/or the pursuit of its objectives.

6. Any student who withdraws from, or fails to return to, the university while disciplinary action is pending against him/her will be ineligible for readmission unless the charges are dismissed or resolved. The university reserves the right to restrict individuals from the campus while those individuals have unresolved disciplinary charges pending.
7. Attempts to engage in acts or behaviors prohibited by this Code, or assisting others to violate this Code, shall be treated as though the behaviors were completed, and may result in the same sanctions being applied as if

the acts or
behaviors were
completed.

B. Section 2.

Rules and Regulations

Any student or student organization found to have committed the following misconduct is subject to the disciplinary sanctions described in Article 5 herein.

Generally, the sanction(s) imposed will fall within the range suggested in each violation stated below. However, in unusual circumstances, the judicial body may use its discretion in choosing sanctions outside these guidelines, including expulsion in severe circumstances, or in case of repeated, lesser offenses. These include, but are not limited to, the following offenses:

1. Cheating, plagiarism or other forms of academic dishonesty as described in the NJIT Academic Honor Code. Refer to the Academic Honor Code for sanctions.

2. Violations of the most serious nature which may result in expulsion:

a. Assaulting, physically abusing, threatening, harassing, stalking, intimidating, coercing or otherwise endangering the welfare of any person

(including, but not limited to, acts of discrimination, sexual harassment or assault).

Range of sanctions

(Article 5) is:

Minimum: # 4;

Maximum: # 12

b. Hazing by any individual or group as defined by the New Jersey State Statute 2. c: 40.3 or by the joint definition of the Fraternity Executives Association, the National Interfraternity Conference, and the National Panhellenic Conference (both definitions appear in the Statement of Relationship Between New Jersey Institute of Technology and Social Fraternities and Sororities).

Range of sanctions

(Article 5) is:

Minimum: # 4;

Maximum: # 12

c. Forging, altering, tampering, fabricating, or misusing any university document, record, or instrument of identification.

Range of sanctions

(Article 5) is:

Minimum: # 4;

Maximum: # 12

d. Use, possession, manufacture, distribution, or dispensing of a narcotic or other controlled

dangerous substance except as expressly permitted by law. (Note: "controlled dangerous substance" is defined in N.J.S.A. 24:21-2, and includes, but is not limited to, opiates, narcotics, barbiturates, and hallucinogenic substances.)

Range of sanctions

(Article 5) is:

Minimum: # 3;

Maximum: # 12

e. Illegal or unauthorized possession of firearms, explosives, other weapons (including but not limited to knives - other than small pocket-type or table knife; compressed air, BB, pellet, and paint ball rifles or pistols); martial arts weapons; ammunition; dangerous chemicals. Misuse of chemical agents, tools or other potentially harmful objects.

Range of sanctions

(Article 5) is:

Minimum: # 3;

Maximum: # 12

f. Violations of the Policy on the Responsible Use of Computing Resources.

Range of sanctions

(Article 5) is:

Minimum: # 3;

Maximum: # 12

g. Abuse of the Student Judicial System, including, but not limited

to:

1. Failing to respond to notice to meet with a university official, and/or failing to appear before a judicial body either as the respondent after notice has been issued, and without legitimate excuse as determined by the hearing panel. No witness shall be found to be in violation of this Code solely because of failure to appear before a judicial body. If the respondent(s) fail to appear after proper notice, the hearing may be conducted in his/her (their) absence.
2. Falsifying, distorting, or misrepresenting information before a judicial body.
3. Disrupting or interfering with the orderly procedure of a judicial investigation or hearing.
4. Initiating a judicial proceeding knowingly without cause.
5. Attempting to discourage a person's proper participation in, or use of, the judicial system.
6. Attempting to

influence the impartiality of a member of the judicial body prior to, and/or during the proceeding.

7. Verbally or physically harassing and/or intimidating a member of the judicial body prior to, during, and/or after a hearing proceeding.
8. Failing to comply with, or obstructing the implementation of, sanctions established by a judicial body; violating the terms of disciplinary probation; violating the Code while on disciplinary probation.
9. Influencing another person to commit an abuse of the judicial system.

Range of sanctions

(Article 5) is:

Minimum: # 3;

Maximum: # 12

h. Interfering with public/personal safety of others through negligent or intentionally improper acts including, but not limited to, propping open doors which are normally locked; improperly using or damaging fire prevention/fighting equipment, intentionally

sounding a false alarm;
setting a fire or explosive
device.

Range of sanctions
(Article 5) is: Minimum:
3; Maximum: # 12

i. Violation of university
policies, rules or
regulations published
herein or in any other
university publication or
posted announcement.

Range of sanctions
(Article 5) is:
Minimum: # 2;
Maximum: # 12

j. Any other conduct or
action in which the
university can
demonstrate a clear and
distinct interest and
which threatens any
educational process or
other legitimate function
of the university or the
health, safety, or
reasonable interests of
any member of the
university community.

Range of sanctions
(Article 5) is:
Minimum: # 2;
Maximum: # 12

k.. Theft of, damage to
and/or possession of,
stolen or unauthorized
personal property of any
individual, the university,
or of public property
(including but not limited
to defacing misusing, or
misappropriating
property).

Range of sanctions
(Article 5) is:

Minimum: # 3;**Maximum: # 12**

3. Serious violations
which may result in
suspension:

a. Participation in a demonstration which disrupts the normal operations of the university and/or infringes on the rights of other members of the university community; unauthorized occupation of a university facility; leading or inciting others to disrupt scheduled and/or normal activities within any building or area; intentional obstruction which unreasonably interferes with freedom of movement on or off campus.

Range of sanctions

(Article 5) is:

Minimum: # 3;**Maximum: # 12**

4. Violations which may result in disciplinary probation and discretionary sanctions:

a. Tampering with the electoral process of any university recognized organization.

Range of sanctions

(Article 5) is:

Minimum: # 4;**Maximum: # 10**

b. Willfully furnishing false information on any matter either orally or in writing to any university

official or faculty member, or intentionally causing a false report, warning or threat of fire, explosion or other emergency.

Range of sanctions

(Article 5) is:

Minimum: # 3;

Maximum: # 10

c. Disrupting, obstructing, or interfering with university functions or any university activity (including but not limited to teaching, research, administration activities, campus functions).

Range of sanctions

(Article 5) is:

Minimum: # 3;

Maximum: # 10

d. Unauthorized entry into, use of, or misuse of university property, including data and/or voice communication networks, and facilities or property of another student or university employee. Unauthorized possession, duplication or use of keys and/or codes to any university facilities or premises.

Range of sanctions

(Article 5) is:

Minimum: # 3;

Maximum: # 10

e. Use, possession, manufacture, distribution or dispensing of alcoholic beverages (except as expressly permitted by law and university regulations); or public

intoxication.

Range of sanctions

(Article 5) is:

Minimum: # 3;

Maximum: # 10

f. Disorderly, lewd, or indecent conduct; breach of peace; or aiding, abetting, or inducing another person to breach the peace on university premises or at functions sponsored, or participated in, by the university.

Range of sanctions

(Article 5) is:

Minimum: # 3;

Maximum: # 10

g. Intentionally discriminating against a person on the basis of race, color, religion, national origin, sex, age, disability, or sexual orientation, except where such distinction is required by law.

Range of sanctions

(Article 5) is:

Minimum: # 3;

Maximum: # 9

h. Failure to comply with the directives of university officials acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.

Range of sanctions

(Article 5) is:

Minimum: # 2;

Maximum: # 9

i. Obstruction of the free flow of pedestrian or vehicular traffic on university premises or at university sponsored functions.

Range of sanctions

(Article 5) is:

Minimum: # 2;

Maximum: # 9