



## Student Rights and Responsibilities

### Student Rights and Responsibilities (Code of Conduct)

#### Regulations Governing Student Conduct and Community Standards of Behavior

Pursuant to the Resolution of the Board of Trustees of the State University of New York, dated May 11, 1967, and Section 356 of the State Education Law, and after consultation with the President, representatives of the faculty, and students, the Council of the State University of New York at Fredonia establishes and promulgates the following regulations covering the conduct and behavior of students. The following rules and regulations were amended in December 2004 and May 2015. They were approved by the College Council and the President of the University in May 2015.

Attendance at this University is a privilege afforded the student by the State of New York and not a legal right. The determination of a student's fitness to be admitted to the university and to continue as a student has been entrusted by the Board of Trustees of the State University to the President and their staff. The term "student" or "students" include all persons taking or auditing classes at Fredonia, both full-time and part-time, pursuing undergraduate, graduate, or professional studies; matriculated in any University program. Persons who are not officially enrolled for a particular term, but who have a continuing student relationship with the University, are considered "students."

#### Specific Standards of Behavior (Code of Conduct)

Listed below are the specific Standards of Behavior (Code of Conduct). The Code of Conduct is broken up into four sections: Personal Identification and Representation; Interference with the Health, Safety, or Rights of Other Persons; Care of University or Personal Property; and Demonstrations by Groups or Individuals.

Alleged violation of any of the following may result in charges being filed against a student or organization.

#### 1. **Personal Identification and Representation**

Failure to act in accordance with these standards must be treated as a major failure to accept responsibility as a student and make one subject to separation from the community.

The following conduct is prohibited:

- a. Furnishing false or incomplete information to University offices, officials, or judicial boards.
- b. Failing to appear before a University official or judicial board when directed to appear.

- c. Making, forging, printing, reproducing, copying, or altering any record, document, writing, or identification used or maintained by the University that results in injury, defrauding, or misrepresentation.
- d. Refusing to identify one's self when directed by an authorized University official having just cause. Students are expected to carry their FRED Cards at all times.
- e. Transferring one's own FRED Card to another person for the purpose of obtaining University services or privileges.
- f. Attempting to obtain a University privilege or service to which the student is not entitled.
- g. Providing erroneous information concerning a change in status concerning financial refunds or financial independence from parents or legal guardian.
- h. Failing to provide accurate information regarding one's local address, residency, or contact information.

## 2. ***Interference with the Health, Safety, or Rights of Other Persons***

All members of the University community share the responsibility for protecting and maintaining community health, safety, and the rights of other persons. Students are required to obey the statutes and laws of the nation and the state, as well as the ordinances and laws of the village of Fredonia, city of Dunkirk, and the towns of Pomfret and Dunkirk. Conviction of a violation of such laws, statutes, or ordinances may be grounds for suspension or expulsion/dismissal.

The following conduct is prohibited:

- a. Failing to comply with reasonable directions of University or town officials (This includes, but is not limited to faculty, staff, Residence Hall Director, Resident Assistant, security, safety, fire officials, or police officers carrying out properly assigned responsibilities).
- b. Failing to comply with the final decision of a judicial board or administrative action.
- c. Misusing safety equipment including but not limited to tampering with fire equipment, fire alarms, smoke detectors, exit lights, refusal to obey a fire alarm, initiating a false fire alarm, submitting a bomb threat, activating emergency phones, sprinkler systems, or propping doors open.
- d.
  1. Fighting and threats to, physical abuse of, harassment, assault, or any other action which threatens to or does endanger the health, safety, or welfare of a member of the University community.
  2. Engages in or threatens to engage in behavior which poses imminent danger of causing substantial harm to a fellow student, a member of the University community, a campus guest, or community member.
  3. Obstructing or disrupting the teaching, administrative, or public service function of the University.
  4. Obstructing or disrupting disciplinary proceedings or authorized University activities.
- e.
  1. Engaging in any action or situation which endangers or causes substantial harm to the mental or physical health of a fellow student, a member of the University community, a campus guest, or community member.
  2. Creating a situation that results in severe or pervasive harassment of a member of the University or local community. This includes bullying and cyber-bullying.
  3. Intentionally, knowingly, or recklessly causing or creating unreasonable risk of harm to another student as a requirement for initiation into, affiliation with, or continued membership of a recognized or unrecognized student organization, regardless of whether a student willingly participates. This may apply but is not limited to Greek organizations, student clubs and organizations, student government associations, and athletic teams, and is more particularly described in the University policy on Hazing.
- f.
  1. Participation in any form of non-consensual sexual intimacy and unwanted physical sexual conduct. This includes sexual violence, sexual harassment, sexual assault, dating or domestic violence, or stalking. This is more particularly described in [the University Policy on Sexual Violence Prevention and Response](#).
  2. Participation in any form of sexual harassment covered under the University's Title IX Grievance Policy. This is more particularly described in [the University's Title IX Grievance Policy](#).
- g. Possessing firearms, explosives (including firecrackers), weapons, bb guns, paintball guns, potato guns, blow guns, knives (4 inches or longer or switchblade), bayonets, nunchucks, brass knuckles, and toy guns that look like real guns.

- h. Illegally using, possessing, selling, or distributing narcotics, prescription drugs, stimulants, depressants, hallucinogens, marijuana or its derivatives, or drug paraphernalia. This is more particularly described in the University Policy on Drugs and Alcohol and the Residence Life Policies and Procedures.
- i. Illegally using alcohol, possessing alcohol, selling or distributing alcohol; distributing alcohol to minors. Conduct related to the use of alcohol where the individual becomes a disruption to the community is prohibited, regardless of one's age. This is more particularly described in the University Policy on Drugs and Alcohol and the Residence Life Policies and Procedures.
- j. Sponsoring or hosting a house party that violates local or state laws, ordinances, or jeopardizes the health and safety of students or others.
- k. Use of speakers or other sound amplifying equipment without approval as to time and place from the Office of Student Affairs, Campus Life, and/or Residence Life.
- l.
  - 1. Posting of posters, handbills, or notices without permission of the appropriate University official. The Office of Campus Life must approve all postings.
  - 2. Solicitation or vending of any kind is not permitted on campus or in the Residence Halls, unless permission is given by the Office of Residence Life and/or the Office of Campus Life.
- m. Fredonia is a tobacco-free campus. Smoking is not permitted. This includes, but is not limited to, cigarettes, cigars, pipes, hookahs, e-cigarettes, etc.
- n. Ignoring reasonable standards of appropriate behavior, including disorderly conduct.
- o. Engaging in fraud, cheating, plagiarism, or collusion on any examination or on assigned work. This is more particularly described in the University Policy on Academic Integrity.
- p. Refusing to accept financial obligations incurred as a student enrolled at the University. (The University is empowered to refuse to register, graduate, or release records of any student who is delinquent in their obligations to the University.)
- q. Viewing, possessing, or distributing child pornography.
- r. Counterfeiting or violating copyright laws.
- s. Illegal or inappropriate use of Fredonia's network or computers. This is more particularly described in the Computer and Network Usage Policy.
- t. Engaging in unlawful gambling activities under conditions that are contrary to the provisions of state law or any applicable University policy.
- u. Violating a local, state, federal law, or local ordinance.
- v. Violating the University's Policy on Bias Crimes/Incidents. This is more particularly described in the University's Policy on Bias Crime Prevention.
- w. Violating the University's Policy on Non-Discrimination. This is more particularly described in the University's Policy on Non-Discrimination.

### **3. Care of University and Personal Property**

Maintaining and preserving University grounds, academic buildings, resident and dining facilities, and other associated structures is an obligation of all members of the university community. Similarly, maintaining and preserving personal property is also an obligation.

The following conduct is prohibited:

- a.
  - 1. Theft, unauthorized possession of, or inappropriate use of property belonging to the University, a member of the University community, a campus guest, or community member.
  - 2. Vandalism, destruction of, damage to, or inappropriate use of property belonging to the University, a member of the University community, a campus guest, or community member.
- b. Destruction, mutilation, and defacement of or tampering with books, magazines, library materials or equipment, or computer services or equipment.
- c. Unauthorized occupancy of or trespassing on University property or facilities, or that of a community member.

### **4. Demonstrations by Groups or Individuals**

The campus must be open to a free exchange of ideas and individuals and groups have protected Constitutional rights; therefore, all members of the community are encouraged to conduct dialogues with mutual respect and courtesy.

The following conduct is prohibited:

- a. Denying to other students, officials, employees, or invited guests of the University lawful freedom of movement on the campus, lawful use of the property or facilities of the University, or the right of lawful entrance to and exit from any of the University's facilities.
- b. Impeding the staff or faculty of the University in the performance of their duties, or impeding any student of the University in the pursuit of his or her legitimate educational or social activities, through the use of restraint, coercion, or intimidation, or when force and violence are presented or threatened.
- c. Engaging in any intentional overt activity resulting in the obstruction to, disruption of interference with any of the legitimate missions, processes, procedures, or functions of the University.
- d. Refusing to vacate a building, street, sidewalk, driveway, or other facility of the University when directed to do so by an authorized official of the University having just cause to order such evacuation.
- e. Making unnecessary noise or causing noise to be made with objects and instruments, which disturb University functions or community living.

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