



# Prohibited Conduct

## MENU

University discipline shall be applied to conduct by a student or recognized student organization occurring on University premises, activities off campus or online, or at University-sponsored programs off campus. University-sponsored programs by a student or student organization off campus include but are not limited to internships, field study, student teaching, community service, international study programs, recreational, intramural, and club sports activities, and intercollegiate athletics. While the specific provisions of the Code of Conduct, specified in Sections A through P below, describe with particularity conduct and behavior which will not be accepted and will constitute grounds for disciplinary actions against students, as a general matter, students should expect to be the subject of disciplinary proceedings when their actions or behaviors violate the law, or does one or more of the following:

1. Interferes with or is disruptive to the learning environment, University process or activities, and/or educational interests and mission of the University, or
2. Endangers the health or personal safety of a member(s) of the University community, or
3. **Harms**, intimidates, or threatens another member(s) of the University community.

**Note:** A violation of the Code of Conduct may also constitute a violation of local, state, or federal law and vice versa. Therefore, resolution through both the student conduct process and prosecution through the criminal justice system may result. Resolution of a violation of the Code of Conduct will proceed separately from prosecution through the criminal justice system or any other method. A delay in resolution through other methods will not delay resolution through the student conduct process. Students should be aware that student status does not insulate them from awareness of and compliance with laws or other policies outside the University.

In keeping with the general parameters and conditions stated above, the specific prohibited conduct described in the following Sections will be considered Code of Conduct violations for which a student may be appropriately disciplined.

### **A. Obstruction of Code of Conduct Investigations and Adjudication Proceedings**



The following actions by a student are prohibited in connection with student conduct investigations or proceedings:

1. Falsification, distortion, or misrepresentation of information;
2. Failure to provide, destroying or concealing information related to a potential or actual Code violation;
3. Any attempt to discourage or otherwise influence an individual's participation in, or use of, the campus conduct system by use of threats, intimidation, or retaliation;
4. Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a campus conduct proceeding;
5. Influencing or attempting to influence another person to intentionally abuse the campus conduct system;
6. Retaliation against another person for participation in the conduct process.

### **B. Misrepresentation**



1. Knowingly or willfully providing false or misleading information or statements to the university, university official or law enforcement officer.
2. Forgery, alteration, unauthorized possession or use of institutional documents including university issued identification cards.
3. \*Withholding information, including failing to disclose records of convictions or disciplinary actions, on applications after admission to the university.

4. Manufacturing, distributing, delivering, selling, providing, purchasing, using, or possessing any form of fraudulent identification.
5. Acts of dishonesty which harm an individual member(s) of the university, the integrity of the academic programs or the educational interests and mission of the university, or a university activity or procedure whether by act or omission.

\*State University of New York (University or SUNY) policy prohibits SUNY Oswego from inquiring into an applicant's prior criminal history. After a student has been accepted for admission, if such student seeks campus housing, or seeks to participate in clinical or field experiences, internships or study abroad programs, campuses shall inquire if the student has a prior felony conviction. (See full [Move the Box Policy](#), Guidelines and Procedures)

## C. Assault, Threats, Endangerment and Harassment



1. **Assault, Threats or Endangerment:** To engage or threaten to engage in conduct that does or can reasonably be expected to result in physical harm or significant emotional or psychological harm, to a person, including, but not to:

a. Any unwelcome physical contact, including but not limited to, striking, slapping, hitting, biting, punching, shoving, or kicking;

b. Any physical action that is objectively abusive, threatening, intimidating, or endangers the physical or mental health or safety of another person;

c. Any action that threatens or endangers the physical or mental health or safety of any person or causes reasonable apprehension of such harm, including displaying a weapon, using firecrackers or flares, throwing or use of dangerous projectiles;

d. To prevent a person from leaving a location (including part of the location, such as one part of the room) or to force a person to go to a location against their will. This is a violation whether accomplished through physical or psychological means.

2. **Harassment.** Subjecting another person or group to uninvited or unwelcome behaviors that are abusive, threatening, intimidating, or humiliating, when the conditions outlined in (a) or (b) below, are present.[Note: Harassment that targets an individual or group based on their race, ethnicity, gender or other protected category status will be considered “Discriminatory Harassment” and governed by the provision relating to such conduct appearing below. Prohibitions on “Sexual Harassment” are also treated separately in the section of that subject appearing below]:

a. Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual’s participation in any of the University programs or activities or is used as the basis for an adverse decision affecting the individual; or

b. The subject conduct creates a hostile environment – A hostile environment exists when the conduct unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the University’s programs or activities. The conduct must cause unreasonable interference from both a subjective and an objective perspective.

3. **Discriminatory Harassment.** A pattern, or one or more incidents, of targeted, unwelcome conduct directed at an individual or group that is discriminatory on the basis of race, color, national origin, disability, religion, age, sex, sexual orientation, gender, gender identity, or other legally protected status, and (a) that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College’s educational programs or activities, or (b) submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual’s participation in any of the University programs or activities or is used as the basis for an adverse decision affecting the individual.

#### **D. Disruptive or Disorderly Behavior**



1. Disruption of administration, disciplinary processes, or other university activities.

2. Disruption or obstruction of teaching, learning or research.

3. Disruption to the campus community including excessive or unreasonable noise, excessively large parties, and/or throwing of projectiles.
4. Lewd, indecent or obscene behavior including public urination or defecation.
5. Conduct which inhibits the safety or infringes upon the rights of members of the university community.

#### **E. Sexual and Interpersonal Misconduct including, but not limited to:**



1. Imposition of sexual contact without affirmative consent.
2. Sexual assault/Sexual violence
3. All forms of intimidation or coercion to take part in sexual activity.
4. Sexual contact upon another who is reasonably unable to consent for any reason, particularly due to their age, use of alcohol or other substances, incapacitation, involuntarily restraint, emotional distress or sleep.
5. Stalking
6. Domestic Violence
7. Dating Violence
8. Sexual Harassment
9. Sex discrimination
10. Sexual exploitation
11. Retaliation

Visit the [Title IX Definitions website](#) for a full list of definitions. Visit the [Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations](#) for more information about the Title IX Grievance Policy.

#### **F. Failure to Comply**



1. Failure to comply with the reasonable directives or requests of a university official, law enforcement officer or student staff acting in the performance of their duties.
2. Failure to complete assigned conduct sanctions, mandated assessments, and/or the terms of an agreement reached through an alternative resolution process.
3. Failure to comply with administrative or interim actions, including no-contact orders, no-trespass notices, building or campus ban/restriction, removal from campus housing facilities or interim suspension.
4. Abuse, interference, or failure to comply with university processes, including conduct meetings, investigations, conferences, or hearings.

## **G. Property Violations**



1. Damage to University premises or property.
2. Damage to property of another person.
3. Theft of University property.
4. Theft of property of another person.
5. Physical or digital theft of intellectual property, including computer programs, software files or documents, or library books and materials.
6. Possession or distribution of stolen property.
7. Trespass or unauthorized entrance, access, or misuse of university property and facilities.
8. Stealing or knowingly possessing stolen information, including by such acts as misappropriation of data.
9. Infringing upon another person's trademark, copyright, patent, or other intellectual property rights.

## **H. Hazing**



## **Hazing Statement**

Student groups, organizations, and athletic teams are an integral component of campus life. At all times participants in University programs and activities are expected to act in accordance with the Code of Conduct and treat others with respect. Hazing can happen in any organization and is not limited to fraternities or sororities. In all forms, hazing is abusive, degrading, psychologically damaging, often life-threatening, and has no place within our community. The University takes every report of hazing seriously and will investigate all complaints thoroughly and vigorously to ensure all students are treated fairly with dignity. Those found responsible for committing, soliciting, encouraging, directing, aiding, or recklessly permitting hazing to occur will be subject to disciplinary action and could face either suspension or expulsion.

## **Policy**

Any act, creation of, or participating in a situation or activity that humiliates, degrades, abuses, or endangers an individual or group of individuals mental or physical wellbeing, for purposes of initiation into or affiliation with any group or organization regardless of a person's willingness to participate are prohibited, including but not limited to the following:

1. Activities that disrupt or interfere with an individual's pursuit of academic endeavors.
2. Activities which harass or intimidate.
3. Any activity for human degradation, or public embarrassment, and by its nature, has the potential to cause severe anxiety, distress, or panic.
4. Activities that deprive individuals of sleep, edible meals, or personal hygiene.
5. Activities that involve tests of endurance, including leaving a person in a location without means of identification, communication, or ability to return.
6. Activities that expose members or prospective members to potentially dangerous or hazardous circumstances, including lockdowns, overcrowding rooms, or locking exits.
7. Activities that involve the forced or required consumption of food, beverages, alcohol, or other drugs.
8. Activities which have a foreseeable potential for personal injury, impart pain or cause mutilation or alteration to the body.
9. Activities which involve illegal acts.

## I. Violation of Policies Governing the Residence Halls.



### Policy

Students shall comply with all provisions of this Code of Conduct, and should refer to the Rules Governing Residence Halls, found in the [Resident Student Handbook](#), and the Housing License for additional rules and responsibilities related to on-campus housing that supplement the Code of Conduct. Students living in university housing are responsible for the behavior of their guests and for ensuring that guests comply with all university regulations.

## J. Violation of Current University Policies, Procedures and Rules



Violations of University policies, procedures and rules, including but not limited to the following, will also be considered

violations of this Code of Conduct for which a student may be subject to discipline:

1. [Weapons and Dangerous Materials Policy](#)
2. [Facilities Use Policy](#)
3. [Solicitation and Posting](#)
4. [Computer and Network Acceptable Use Policy](#)
5. Student Organizations Policies and Procedures\*
6. [Student Athlete Code of Conduct](#)
7. [Identification Card Policy](#)
8. [Camping and Use of Tents, Enclosure or Similar Structures on Campus Policy](#)
9. [Free Speech, Civil Discourse, and Peaceful Assembly Policy](#)

\*Policies listed above without external weblinks may be found in the Student Handbook

## K. Fire and General Safety



1. Tampering with or improperly using portable fire extinguishers, elevators, fire sprinkler systems, EXIT lights or any other life safety equipment such as smoke detectors.
2. Failure to evacuate buildings and follow emergency procedures issued by University officials or local authorities or emergency personnel during a fire drill or alarm.
3. Intentionally or recklessly causing a fire which damages University or personal property or which causes injury.
4. Smoking of any kind, including by use of vaping devices, electronic cigarettes, and other nicotine delivery devices, is prohibited on University premises and in all facilities.
5. Storing, possessing, or igniting combustible materials on campus including, but not limited to: flammable materials, fireworks, explosives, gunpowder, fuel containers, candles, or gas.

## L. Violation of Law



### Policy

Students are members of many communities, including many outside the University. As such, students are expected to demonstrate appropriate behavior in all settings and locations.

**Notification of Criminal Arrest** - A student is responsible for notifying the Dean of Students of any off-campus criminal arrest within 5 business days of the arrest. Failure to provide timely notification may result in additional charges for failure to comply with University processes. When the University is informed of the arrest of a student, notice will be sent to the student requiring that they make an appointment with the Office of Student Conduct. During this interview, the University may review the underlying facts underlying the student's arrest to determine if there is an associated University policy violation, the student's obligation to keep the University informed of the progress of the criminal charges, and the student's obligation to advise the University of the final disposition of the criminal charge(s) will be discussed with the student.

## **M. Alcohol Policy**



1. Possessing, consuming, or being under the influence of alcohol under the legal age.
2. Being in the presence of alcohol under the legal drinking age.
3. Purchasing, providing, or serving alcohol to or for an underage person.
4. Manufacturing, distributing, or engaging in the sale of alcohol.
5. Possessing open containers or consuming alcohol in public, common areas of a residence hall or facility, or on University premises when not authorized.
6. Creating or possession of drinking games or engaging in drinking games that induce, encourage, or result in rapid consumptions.
7. Possession of empty alcohol containers and paraphernalia.
8. Conduct under the influence of alcohol as demonstrated through one's actions, regardless of age, including, but are not limited to, impaired motor-skill coordination, difficulty communicating, vomiting, verbal and/or physical aggressiveness, destructive or disruptive behavior, or public intoxication.
9. Possessing, consuming or being under the influence of alcohol during registered University events, activities, trips, or classes when not authorized.
10. Operation of a motor vehicle under the influence of alcohol, including but not limited to a DUI/DWI.

## **N. Drug Policy**



1. Possessing, consuming or being under the influence of drugs, controlled substances or non-prescribed medication.
2. Being in the presence of drugs, controlled substances or non-prescribed medication.
3. Possessing and/or use of drug paraphernalia.

4. Manufacturing, selling, or distribution of drugs, controlled substances or non-prescribed medication.
5. Possessing, consuming or being under the influence of drugs, controlled substances or non-prescribed medication during University events, activities, trips, or classes.
6. Conduct under the influence of drugs as demonstrated through one's actions including, but not limited to operation of a motor vehicle under the influence of drugs.

#### **O. Bribery, Collusion or Complicity**



Students are prohibited from bribing a University employee or student for personal gain, and from participating, aiding or assisting another person, including a guest invited to campus by the individual, to commit a violation of the Code.

#### **P. Invasion of Privacy and Appropriation of Identity**



No student shall intentionally invade the privacy of, or misappropriate the property rights of, another person, by means of videotaping, photographing, audiotaping, or otherwise making any video, picture, or sound recording, and shall not appropriate, distribute, share, or use someone else's likeness, identifying personal data, or documents without permission.

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## Contact

315-312-3378, Fax: 315-312-2503

[conduct@oswego.edu](mailto:conduct@oswego.edu)

## Hours

M-F, 8am-4:30pm

Summer Hours: M-F, 8am-4pm

 APPLY

 REQUEST INFO

 VISIT

7060 State Route 104  
Oswego, NY 13126-3599  
315.312.2500

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