

Standards of Conduct

Because Bloomfield College is rich with human diversity, it provides a unique setting for students and employees to learn to advance ideals of human worth and dignity. The College is committed to safe-guarding conditions which will foster mutual respect. The mission of the College, "to prepare students to attain academic, personal and professional excellence in a multi-cultural and global society" clearly articulates our respect for the rights, privacy and sensibilities of each member of this

educational community. Abusive or harassing behavior, verbal or physical, which demeans, intimidates, threatens, or injures another because of his or her personal characteristics or beliefs, which include but are not limited to race, sex, sexual orientation, national origin, religion, disability, and age, will not be tolerated at Bloomfield College. Nor will persons who commit such deeds be entitled to continue their membership in this academic community.



President Richard A. Levao

Bloomfield College is a multi-racial, multi-cultural institution of higher education. Part of the learning experience includes learning about and respecting those norms of society that are designed to promote, protect and respect the rights of all members of society.

If Bloomfield College is to operate harmoniously and efficiently, the students must be assured of certain fundamental rights and the College must have basic rules which are respected and enforced. The failure to behave in accordance with existing standards may result in the administration of discipline that is consistent with, and related to, the College's objective of learning and growth.

What follows is a list of student rights and responsibilities, followed by the Code of Conduct and an explanation of the College Judiciary Program. Nothing in this document is to be construed as interfering with the academic freedom of faculty and students. These statements of policy originated with the Faculty Committee on Student Affairs and were approved by the Faculty of Bloomfield College.

Bloomfield College's program is in keeping with that of other major institutions of higher education.

I. BILL OF RIGHTS

The following rights shall not be construed to deny or diminish other rights retained by students as citizens of the local community, the state, or the nation.

- A. In the free pursuit of their educational goals, students are entitled to:
 1. Competent, professional instruction at all times, and the right to ask relevant questions and receive coherent answers.
 2. Accurate, concerned advising from assigned advisors.
 3. All reasonable respect for their characters, opinions, abilities, sincerity and integrity as human beings. Student performance is to be evaluated solely on academic achievement, including adherence to the traditional canons of scholarly honesty and integrity, and not on unrelated matters.
 4. Freedom from verbal and/or physical abuse.

5. Fair grading based on standards that are clearly articulated by the instructor in the syllabus distributed by the second class meeting.
 6. The right to appeal to the head of the division or the Vice President for Academic Affairs and Dean of Faculty/designee any grade that the student believes is based on a prejudiced, capricious, or erroneous academic evaluation.
 7. Confidentiality concerning matters both personal and academic.
 8. Equality in the administration of College codes and administrative due process in the handling of all charges against the student; and the right to appeal to an appropriate body as defined in the appeals procedures of Section VI of the Standards of Conduct.
 9. The right to control the release of information contained in their student records, as specified in the Family Educational Rights and Privacy Act of 1974 (also known as the Buckley Amendment).
- B.** Free inquiry and expression are encouraged. All constituents of the College Community are free, individually and collectively, to express their views on issues of College policy and on matters of interest to the student body. However, such expression must not:
- Disrupt the operation of the College.
 - Threaten the safety of individuals and/or their property, individual rights, or the continuity of the educational process.
 - Cause damage to College property.
 - Harass or threaten others.
- C.** Students have the right to be secure in their persons, campus living quarters, papers, and personal property. Information on the Family Educational Rights and Privacy Act (Buckley Amendment) is available in the Office of the Registrar.
- D.** Students can organize and join associations to promote their common interest as designated by College rules and provided they are consistent with the mission of the College. Student organizations may be afforded use of College facilities and resources when available so long as such interests and use are compatible with the purposes and functions of the College. If student organizations

are affiliated with organizations outside Bloomfield College, the relationships must not interfere with the objectives and activities of the College. College policy will take precedence over the rules of any national, state, or local affiliate organization.

- E.** Bloomfield College regards student publications as central to the creation of an atmosphere of free and responsible discussion and of intellectual exploration on campus. Bloomfield College is firmly committed to freedom of expression in order that student publications may maintain their integrity of purpose.

The freedom of student editors and managers entails allegiance to the canons of responsible journalism, such as the avoidance of libel, slander, obscenity, and undocumented allegations. Students must recognize the legal and fiduciary obligations incumbent upon them and the College in all publication matters. There also must be a recognition that freedom of expression with opportunities for responsible replies is one of the characteristics of higher education in the United States. All student publications must explicitly state on the editorial page that the opinions that are expressed are not necessarily those of the College or student body. Editors and managers of the student press shall not be arbitrarily disciplined because of student, faculty, administrative, alumni, or community disapproval of editorial policy or content. Discipline may result for failure to adhere to the canons of responsible journalism, as discussed above.

- F.** No student shall be discriminated against on the basis of sex, race, color, creed, national or ethnic origin, sexual orientation, age, or disability.

Each student shall be guaranteed fair treatment under College rules and regulations in the securing and protection of aforesaid rights. Alleged violations of the student's rights should be referred to the Office of the Vice President for Academic Affairs and Dean of the Faculty/designee for academic matters or to the Office of the Vice President for Student Affairs and Dean of Students/designee for other matters, or to the Affirmative Action Officer. The appropriate Officer will respond, in writing, to the student's concern.

II. ACADEMIC INTEGRITY

A. *Plagiarism*

Plagiarism is the copying of a passage or idea from a book, article, notebook, laboratory report, video, Internet, or other source, published or unpublished, without acknowledging the source of the passage or idea. Text extracted from another source without substantial paraphrasing must be cited as a quotation, or it too will be considered plagiarism. Finally, any replication of another student's work or a student's own work from prior semesters or other courses will be considered as plagiarism, unless the instructor's approval for such usage has been obtained. Penalties for plagiarism can include a written warning/reprimand and a combination of one or more of the following actions administered by a faculty member or if necessary by the Vice President for Academic Affairs and Dean of the Faculty/designee:

- Redoing the assignment.
- Obtaining a failing grade for the assignment.
- Obtaining a failing grade in the course.

Suspension or expulsion from the College if deemed necessary, will be administered by the Vice President for Academic Affairs and Dean of the Faculty/designee.

B. *Cheating*

Cheating on an examination (whether in-class, take-home or online) includes the following: attempting to look at another student's examination for the purpose of obtaining answers; communicating any information about the examination, either during or after the testing period, to someone who has not yet taken the exam; using any materials, including books and/or notes, technologically based communication devices (including but not limited to cell phones, pagers, personal digital assistants, laptops, hard drives, disks, or student's personal space on the computer) during the examination that have not been authorized by the instructor; engaging in any other activity for the purpose of obtaining assistance not authorized by the instructor; opening online exams before you are scheduled to take the exam; searching the web for information without permission during an online exam.

Collusion is a form of cheating that involves working with another person/persons to prepare separate course assignments (including papers, projects, and presentations) in ways not authorized by the instructor. Penalties for cheating on an examination or collusion can include a written warning/reprimand and a combination of one or more of the following actions



administered by a faculty member or if necessary by the Vice President for Academic Affairs and Dean of the Faculty/designee:

- Failing the examination.
- Obtaining a failing grade on the assignment.
- Failing the course.

Suspension or expulsion from the College if deemed necessary, will be administered by the Vice President for Academic Affairs and Dean of the Faculty/designee.

C. *Other Forms of Dishonesty*

All forms of dishonesty, including knowingly furnishing false information, forgery, alteration or use of College documents or instruments of identification with the intent to defraud; theft or misappropriation of property or services; knowingly furnishing false information to the College; helping others to give such false information, are prohibited. Violations of this provision will subject all individuals who participate in or otherwise aid or abet in any form of academic dishonesty to the full range of disciplinary actions.

D. *Protocol/Appeal Process/Sanctions*

If the instructor has sufficient evidence to believe that a violation of the academic integrity policy has taken place, the instructor must discuss the issue, as well as the penalty, with the student. If the supportive evidence is not definitive and the student denies guilt, the case is referred to the Vice President for Academic Affairs and Dean of Faculty/designee.

If the student refuses to accept the decision of the Vice President for Academic Affairs and Dean of Faculty/designee, the incident is referred to the Judiciary Program at Bloomfield College. (Please refer to the section labeled "Judiciary Program" in the College Catalog.)

Depending upon the circumstances surrounding the incident, as assessed by the instructor, following discussion with the student, and, if necessary, following discussion with the Vice President for Academic Affairs and Dean of Faculty/designee, any one of the penalties below could be enforced:

- Student is issued a written warning/reprimand.

- Student must resubmit the assignment.
- Student obtains a failing grade for the assignment.
- Student obtains a failing grade for the examination.
- Student fails the course.

Suspension or expulsion from the College if deemed necessary, will be administered by the Vice President for Academic Affairs and Dean of the Faculty/designee.

The instructor will place a written record of the infraction in a permanent file maintained in the Office of the Vice President for Academic Affairs and Dean of Faculty. A copy of the record must also be given to the student.

If plagiarism, cheating or other types of academic dishonest are discovered after final grades have been submitted to the Registrar's office, final grades may be lowered accordingly.

III. CODE OF CONDUCT

The primary purpose of regulations and discipline at the College is to protect the well-being of the community and to advance its educational mission by defining and establishing certain norms of behavior. Institutional discipline may be applied to conduct that adversely affects the College community's pursuit of its educational objectives.

Conduct of the following kind may result in the imposition of institutional discipline in the form of one or more of the disciplinary actions listed in Section IV, Official College Sanctions. Any other misconduct deemed a threat to the well-being of the community or to the safety of any person might also result in the imposition of institutional discipline as well. In cases involving academic misconduct (cheating, plagiarism, collusion), the determination of the appropriate discipline to be applied shall be made by the Vice President for Academic Affairs and Dean of the Faculty/designee according to the procedures set forth herein. The determination of the appropriate discipline to be applied in all other cases shall be made by the Vice President for Student Affairs and Dean of Students/designee according to the procedures set forth in Section IV (J), Emergency Powers and according to Section V, The Judiciary Program.

A. *Endangering Personal Safety*

Actions that threaten or endanger in any way the personal safety or security of self and others are subject to sanctions. Such actions include inflicting or attempting to inflict bodily harm upon oneself or others; or holding or confining another person in any form against his/her will. Taking actions for the purpose of inflicting mental harm. The possession, storing or use of any type of weapon in any form (including but not limited to firearms, general knives/blades, ammunition, fireworks, and incendiary devices), or any object that can be construed to be a weapon is prohibited. The possession, use or storing of firearms, air guns/rifles, ammunition, explosives, dangerous chemicals or other dangerous weapons on campus in contravention of federal, state or local laws or College regulations will result in immediate dismissal from the College.

Such actions also include interfering with local police authorities and Campus Security Guards while they are acting in the performance of their duties on the College premises or intentionally ignoring citations issued by local police authorities and Campus Security, failure to comply with evacuation procedures, and/ or tampering with fire protection equipment or inappropriate use of open flame devices or combustible materials. Intentionally initiating or causing to be initiated any false report, warning or threat of fire, explosion, or other emergency.

B. *Lack of Respect for Others*

The College does not tolerate abusive or harassing behavior, verbal or physical, which demeans, intimidates, threatens, coerces, or injures another because of his or her personal characteristics or beliefs which include but are not limited to disability, ethnic and national origin, race, age, religion, sex and sexual orientation.

Actions which are intended to humiliate, discredit and/or interfere with a person in the conduct of his or her customary or usual affairs, such as sending or posting threatening or harassing messages (via email, voicemail, U.S. Mail, postings on Face Book, My Space or any other student profile websites) explicitly or by inference directed to the

person, use of threatening language directed at another, or vandalism or misappropriation of a person's property, including theft, handling or mishandling of a person's personal property without permission, attempted theft or damage of personal property, theft of academic work in electronic format or hard copy, theft, of academic supplies including textbooks, laptops or other technical equipment, disks/CDs, stationery, etc.; or vandalism of a person's room or car (e.g. by graffiti) are prohibited. When possible and appropriate, payment of replacement or repair costs will be required in addition to disciplinary actions ranging from written reprimand, suspension to expulsion. (See Section IV, Official College Sanctions).

C. *Hazing*

Hazing, including organizing, engaging in, facilitating, or promoting any conduct that places or may place another person in danger of bodily harm or serious psychological distress is prohibited. (The consent of those hazed will not be accepted as a defense.) Hazing and aggravated hazing are crimes punishable under the provisions of Title 2C of the Statutes of the State of New Jersey.

Any action taken or situation created intentionally whether on or off College premises to produce mental or physical discomfort, harassment, personal degradation, embarrassment, or ridicule as a precondition for membership, including but not limited to:

- extended deprivation of sleep or rest;
- forced consumption of food, liquor, beverage, or drugs;
- paddling, beatings or brandings;
- any other such conduct that violates local, state, or federal laws is prohibited.

Violation of this provision will subject all individuals and organizations who participate in the hazing to the full range of disciplinary actions (see Section IV, Official College Sanctions). In general, however, pledge(s) will not be subject to disciplinary action unless they have taken an active part in planning or carrying out hazing activities. Pledge(s) may, though, be encouraged to attend counseling sessions or any other support-based interventions deemed appropriate by the College.

D. Damage to Property

Willful or grossly negligent damage or destruction of the property of others, or of the College, including but not limited to the deliberate defacement of library materials, equipment, buildings, vehicles, sidewalks, walls, trees, landscaping or littering is prohibited. Violation of this provision will subject the person or persons responsible to the full range of disciplinary actions (see Section IV, Official College Sanctions), and in addition will ordinarily also include payment for the cost of replacement or repair.

A first offense involving replacement or repair costs of less than \$25.00 will result in disciplinary reprimand and payment of the cost; if the damage was caused by a resident student to residence hall facilities/college property, that student will in addition be suspended from College housing for a minimum of seven (7) days.

A first offense involving replacement or repair costs of \$25.00 or more will result in conduct probation for a minimum of 30 days, payment of replacement or repair costs and possibly suspension for a minimum of seven (7) days or dismissal from the College; if the damage was caused by a resident student to residence hall facilities/college property, that student will, in addition, be suspended from College housing for a minimum of two (2) weeks.

A second offense involving any replacement or repair cost will result in conduct probation for a minimum of one semester, payment of replacement or repair costs and possibly suspension for a minimum of fourteen (14) days or dismissal from the College. A second offense by a resident student to residence hall facilities/college property will result in suspension from College housing for a minimum of thirty (30) days, payment of replacement or repair costs and possible dismissal from the College.

Further offenses on the part of any student can range from partial suspension for one semester to dismissal from the College for all students and permanent dismissal from housing for resident students.

E. Violations of the Alcohol and Drug Policy

All students are subject to local, state, and federal laws. Infraction of the Alcohol and Drug Policy may therefore also result in prosecution by such authorities. In cases involving prosecution by federal, local and state authorities, the College reserves the right to impose disciplinary actions whether infractions occurred on or off the College campus. Students with concerns about drugs or alcohol may contact the Office of Student Affairs for counseling and referrals.

For more details please refer to the Bloomfield College 2010-2011 Policies Brochure.

F. Violations of Local, State and Federal Law

Violations of local ordinances or of state or federal laws while on campus or off the college campus are subject to College sanctions as well as any legal penalties. Such violations include, but are not limited to, possession, sale and/or distribution of controlled substances, possession of unlawful weapons, use of an item as a weapon to commit harm to others, terrorist threats in any form, robbery of any form, assault or harassment of any form, sexual misconduct in any form, etc.

G. Excessive Noise

Any noise above a reasonable level whether produced by an individual or a group, will be considered excessive. Excessive noise will not be allowed. At any social event where live or recorded entertainment is a part of the event, the student group sponsoring such a social event must maintain the sound of any entertainment at a reasonable level and must obey local regulations with respect to its termination. The Office of Residential Education and Housing reserves the right to reject radio/stereo systems that can create a disturbance (see the publication "A Guide to Residential Education and Housing").

If noise from a College-sponsored social event causes the College's neighbors to complain, College officials will ask the sponsors and/or attendees of the event to reduce the noise; if the noise continues or resumes, the event will be shut

down. In cases of repeated reports of excessive noise from a sponsoring organization, that organization and its members may be subjected to a full range of disciplinary actions ranging from written reprimand to dismissal from the College. (See Section IV, Official College Sanctions)

H. *Disruption or Obstruction of College Activities*

Any behavior that disrupts or obstructs teaching, tutoring, social/recreation programs, research, administration, learning, studying, invited speakers, disciplinary proceedings, fire, police or emergency services or any other normal College activity is prohibited. Disciplinary actions can be initiated by the person in charge of the activity or by any College staff and/or faculty member who observes such behavior.

Disruption or Obstruction of Classroom Teaching:

- In circumstances wherein a student's conduct disrupts the ongoing educational purposes of any College class, that student will be subject to sanctions which can include, but are not limited to, written warnings, written reprimands, failing course grades, suspension and/or dismissal.
- For disruptive behavior on the part of a student enrolled in the class, the person in charge of the classroom at the time of the disruption can initiate the student's withdrawal from the classroom due to misconduct.
- For disruptive behavior on the part of a student who is not enrolled in the class, any College staff or faculty member who observes such behavior can initiate disciplinary action via submission of a written report to the Vice President for Student Affairs and Dean of Students/designee.

I. *Violation of College-Promulgated Rules and Regulations*

All students are subject to the range of disciplinary actions (see Section IV, Official College Sanctions) when they fail to obey College-promulgated rules and regulations, including those applicable to residents. Violations include, but are not limited to, failure to respect the confidentiality of judicial hearings and willfully preventing a College official from properly discharging his or her

lawful responsibilities. College-promulgated rules and regulations are available to all students through the Office of Student Affairs.

J. *Failure to Honor Agreements and Contracts*

All students can be subject to disciplinary actions when they fail to honor agreements or contracts relating to official College activities or processes, academic and disciplinary sanctions.

K. *Sexual Harassment*

Sexual harassment of another student, faculty member, administrator, staff member, or guest of the College is prohibited. Sexual assaults or any other uninvited behavior of a sexually explicit nature are likewise prohibited. Students are referred to the College's official Sexual Harassment Policy in the Bloomfield College 2010-2011 Policies Brochure.

L. *Unauthorized Use of College Facilities and Resources*

All areas of the College campus, including classroom, residential facilities, administrative buildings, the library, recreational buildings, the quad and parking lots, are open to students only according to published use schedules or other sanctioned use. In addition, unauthorized student access to and/or use of the College's property, equipment, resources and documents are prohibited. Student groups, unless authorized by a College Official, may not grant any nonmember of the College Community any level of access to resources and facilities exclusively available to members of the College Community (i.e., meeting rooms, library, quad, cafeteria, common spaces, computer labs, video equipment, etc.). Facilities and equipment must be returned in their pre-use condition unless otherwise authorized. All other use is considered unauthorized. Additionally, the unauthorized use of the College's computer system, College's name, finances, materials and supplies (including College letterhead) and unlawful entry into or use of College facilities and offices is prohibited.

M. *Unauthorized Posting*

All student posting of notices on College property must be:

- Stamped by the Director of the Center for Student Leadership and Engagement located in the Student

Center or an academic Division Chair;

- Posted in pre-approved designated areas. See the Office of Student Leadership and Engagement for a list of pre-approved areas;
- Posted by authorized student organizations recognized by Bloomfield College.

Unauthorized postings and notices posted in unauthorized locations will be removed. Unauthorized and inappropriate posting which demeans or infringes on the rights of any member of the College Community will be removed, and person(s) responsible will be subject to a full range of disciplinary actions ranging from written reprimand to dismissal from the College.

IV. OFFICIAL COLLEGE SANCTIONS

Whenever appropriate, sanctions may include a learning component in an attempt to prevent future offenses. In addition to the sanctions listed below, a fine or activity related to the infraction may be imposed by the appropriate Vice President/Dean or designee or one of the College's Judiciary Boards. Both the fine and the activity would require the approval of the respective Vice President/Dean or designee who can modify the sanction or request that the respective Board modify the sanction.

Sanctions involving total suspension from the College for a specific period of time will be imposed by both the Vice President for Student Affairs/Dean of Students and the Vice President for Academic Affairs/Dean of Faculty, unless otherwise considered a severe infraction which warrants enforcement of the "Emergency Powers" as defined in Section IV, item J.

The disciplinary actions defined below are examples of the kind of sanctions that may be imposed, but are not intended to limit the discretion of the College to impose any other sanction it deems appropriate. While in most instances the following sequence of procedure is followed, the severity of the student infraction may preclude this progression.

A. *Disciplinary Warning*

A warning is a formal admonition, either oral or written, that may be taken into account in judging the seriousness of any future violation. For purposes of

assessing additional, concurrent offenses, a disciplinary warning will be in effect for one semester. Any pertinent material associated with a written warning, as well as the warning itself are placed in the student's permanent file with the Student Affairs Office for behavioral misconduct and the Registrar and Academic Affairs Offices for academic misconduct.

B. *Disciplinary Reprimand*

A reprimand is a written notification to a student containing a warning that repeated infractions of regulations may result in more severe disciplinary action. For purposes of assessing additional, concurrent offenses, a disciplinary reprimand will be in effect for one semester; and will be placed in the student's permanent file with the Student Affairs Office for behavioral misconduct and the Registrar and Academic Affairs Offices for academic misconduct.

C. *Remuneration*

In the case of personal injury, damage to College property, or damage to personal property, students shall be required to pay for all expenses incurred because of their actions.

D. *Conduct Probation*

This action involves a period of time, normally not exceeding one year, during which a student is given reasonable opportunity to show that he/she can become a responsible and effective member of the College community. In addition, conditions and restrictions may be imposed, including revocation of specific privileges and recommendations for counseling.

Individuals and Organizations on conduct probation will be restricted from participating in College activities without prior permission from the Office of the Vice President for Student Affairs and Dean of Students. These restrictions may include, but are not limited to, attending, sponsoring or co-sponsoring social events or events intended to raise funds for that organization, recruiting new members, and freezing the organization's budget for up to one semester.

At the end of the probation period, if all conditions of the action have been met satisfactorily, the student will be considered in good conduct standing and will be so informed in writing by the respec-

tive Vice President/Dean or designee. Any pertinent material associated with the sanction of probation as well as the sanction itself are placed in the student's permanent file with the Student Affairs Office for behavioral misconduct and the Registrar and Academic Affairs Offices for academic misconduct.

E. *Withdrawal from Class Due to Misconduct*

A student may be withdrawn from a class or classes due to disruptive or obstructive behavior by a faculty member or instructor. For this particular sanction, any conduct withdrawal may be appealed to the Vice President for Student Affairs and Dean of Students/designee, and the appeal will be heard within 48 hours.

If an appeal is granted by the Vice President for Student Affairs, the appeal must be endorsed by the Vice President for Academic Affairs and the course instructor before a decision is reached to allow the student to return to class. In such a case, the student may be placed on special behavioral contract with the Office of Student Affairs and placed on conduct probation. Any pertinent materials associated with the withdrawal are placed in the student's permanent file with the Registrar.

F. *Suspension from Housing*

A student may be suspended from College housing for a specified period of time, normally not to exceed one year. During this period of suspension, the student will be denied all rights and privileges of resident students in good conduct standing, including presence in any residence facility, or off-campus College-sponsored housing facility; or areas immediately surrounding any such facility including entrances, driveways, walkways and other general common areas. Any pertinent material associated with a suspension from housing will be placed in the student's file with the Student Affairs Office.

G. *Dismissal from College Housing*

In the case of a serious violation of residence rules or regulations, or in the case of repeated minor infractions of these rules, a student may be dismissed from College housing for a specified period of time. Any pertinent material associated with a dismissal from housing will be

placed in the student's file with the Student Affairs Office.

H. *Suspension from the College*

1. *Partial Suspension*

Under partial suspension, a student may attend classes only. Any other presence by the student on campus will require an appointment and prior permission from the Office of the Vice President for Student Affairs and Dean of Students. Resident students under partial suspension may be allowed to attend classes and use the residence hall and cafeteria.

2. *Total Suspension*

A student may be suspended from the College for a specified period of time, normally not to exceed one year. During this period of suspension, the student will be denied all rights and privileges of students in good conduct standing, including presence on College property, and the student may not participate in any College activity or College-sponsored activity.

I. *Dismissal from the College*

This is the most serious penalty and results in a permanent separation of the relations between the College and the student. Permanent notification appears in the official permanent record.

Dismissal must be approved by the President of the College.

J. *Emergency Powers*

In the case of infractions which, in the opinion of the College, constitute one or more of the following:

- A serious violation of College rules or regulations; or
- Circumstances seriously affecting the health or well-being of any person;
- Circumstances where the ability of the College to carry out its essential operations is seriously impaired or threatened; or
- Circumstances which disrupt or pose a threat to the College community and where the infraction is one that may constitute violation of a local ordinance, state or federal law, or rule or regulation promulgated pursuant to law, or violation of the legal rights of another.

The appropriate Vice President/Dean or his/her designee, at his/her sole discretion, following a preliminary investigation of the matter, may invoke "Emergency Powers" and summarily suspend, dismiss, bar from campus or take any other disciplinary action deemed necessary against any person. Except where the appropriate Vice President/Dean or his/her designee, at his/her sole discretion, elects to do so, incidents of misconduct falling within the scope of this section shall not be referred to a judiciary board. Sanctions imposed under this section are to be considered temporary, pending the outcome of an independent investigation or review by College legal counsel. Permanent sanctions are to be imposed by the appropriate Vice President/Dean or his/her designee after the conclusion of that independent investigation/review. Notice to appropriate persons is to be given following the imposition of sanctions in accordance with the procedures set forth in the "Assessment of Discipline" section of Section V, "The Judiciary Program".

Disciplinary action taken and sanctions imposed under this section, whether by the Vice President for Student Affairs/Dean of Students or by a judiciary board, are subject to the "Appeals Procedure" established in Section V, "The Judiciary Program", except that the original disciplinary decisions shall be and remain fully implemented pending the outcome of the appeal.

Any hearings conducted under this section, as well as the findings of the independent investigation of the matter, are to remain confidential to the extent required by law.

K. Banishment

In circumstances seriously affecting the health or well-being of any person, or where the ability of the College to carry out its essential operations is seriously impaired or seriously threatened, the President or his representative, or a senior officer of the College authorized by the President, may summarily suspend, dismiss, or bar any person from the College.

V. JUDICIARY PROGRAM

The administration of the College's disciplinary process is the responsibility of the Office of the Vice President for Student Affairs and Dean of Students.

The judiciary standards and procedures that are established by the College are intended to protect the educational purpose of the institution, provide for orderly conduct of its activities, protect the victims of crime, and safeguard the interest of the College's community. The disciplinary procedures adopted by the College are considered part of the educational process and reflect the philosophy of peer education and evaluation. Formal hearings and appeals included in the judiciary process are not courts of law, and are not subject to rules of civil or criminal hearings. As violations of College's Standards of Conduct may also account for violations of law, students may be accountable for both civil authorities and the College for their actions. However, outcomes of Legal Court proceedings will not guide the College's administrative processes or disciplinary decisions.

The purpose of discipline is to correct improper conduct. To that end, the disciplinary process will provide opportunity for the individual to:

- reassess and correct his/her behavior that led to the disciplinary action;
- increase his/her awareness of the expectations and standards which the College holds for a student;
- accept responsibility for modifying his/her behavior to better meet these expectations;
- perceive him/her as an individual capable of guiding his/her own personal development.

Reporting Incidents of Misconduct

In cases involving academic misconduct in the classroom setting, (workshop, lab, lecture, tutoring, etc.) a charge may be brought forward by the instructor, or Vice President for Academic Affairs and Dean of Faculty/designee. The administration of appropriate disciplinary course of action is at the discretion of the Vice President for Academic Affairs and Dean of the Faculty/designee.

In cases involving behavioral misconduct on campus, a charge of violation of college policy may be brought forward by any member of the College community or by the College itself. Charges involving student misconduct must be

channeled through the Student Affairs Office. Charges must be submitted in written form to the Vice President for Student Affairs and Dean of Students/designee within ten (10) business days of observed infraction; unless the nature of the violation involves a criminal prosecution in which case, written charges beyond ten (10) days would be acceptable. The determination of appropriate disciplinary actions is at the discretion of the Vice President for Student Affairs and Dean of Students/designee.

Investigative Processes

Pursuant to the receipt of a written charge of violation of the Standards of Conduct from a member of the College Community; the investigative process will begin with the review of said charge by the Vice President for Academic Affairs and Dean of Faculty/designee; or the Vice President for Student Affairs and Dean of Students/designee. Based on the type of infraction, whether academic or behavioral misconduct, the respective Vice President/Dean and/or designee will meet individually with all parties involved in the infraction. The respective Vice President/Dean or designee may reach a resolution on the matter based on the review of all pertinent evidence associated with the infraction; and impose one or more of the disciplinary sanctions listed in Section IV, Official College Sanctions. If a resolution is not reached at this level, the appropriate Vice President/Dean or designee will determine whether or not the case is deferred to one of the judicial hearing panels. Some cases, based on their nature may warrant involvement of the College's Counsel, local or state authorities and immediate implementation of the College's emergency powers.

Formal Notification of a Charge of Misconduct

If a charge of student misconduct is referred to any of the judiciary boards, the respective Vice President/Dean or designee will provide the student involved with a copy of the charge, which will include the substance of the matter charged and the date, time, and place the matter will be heard. Such notification shall be made in person or by means of a registered letter, return receipt requested.

The student will be informed:

- A. of the right to:
 - have access to all records of charges and all supporting documents to be used in the case;
 - have an advisor present who is a current member of the College community (neither the College nor the student may be represented by an attorney);
 - present a statement on his/her behalf;
 - present witnesses who have relevant information.
- B. that if he/she chooses not to appear at the scheduled hearing, the hearing will be heard in his/her absence, and a decision will be made based on the relevant evidence presented.
- C. of the range of discipline the student may be subject to by the respective judiciary board.

Hearings

For cases referred to it, the role of any of the judiciary board is to determine by way of a hearing whether the accuser has proved, by a preponderance of evidence, that the student in question has in fact violated one or more of the provisions of this Catalog, or any other rules, regulation or standard of behavior set by the College and to recommend an appropriate punishment. In the interest of confidentiality, hearings are closed unless an open hearing is requested by the accused. However, the College reserves the right to deny a request for an open hearing.

In closed meetings, only the person bringing charges, the person representing the College, the student charged, the hearing advisor chosen by the student, the ombudsman, members of the judiciary board and its staff, and witnesses called by the board to testify may be present at the hearing. Board members who violate the confidentiality of judicial hearings shall be dismissed immediately from the board and may be subject to disciplinary action. Any member who violates the confidentiality of a judicial hearing may also be subject to further penalties or liability under state and federal law. During open meetings,

persons attending the hearing who are not witnesses are there as observers and not as participants and are expected to observe proper decorum.

Disciplinary hearings are not adversary proceedings in the legal sense; they are conducted in an atmosphere of informality and interested understanding. At the start of a hearing, the chairperson shall advise those present of the procedures and read the statement of the charge. At that time, the parties should present their lists of any witnesses they want the board to call. The chairperson of the board shall call the witnesses. All witnesses may be questioned by all parties in a case and by any member of the board. The chairperson may, with an explanation, rule any inappropriate question or response out of order. All information upon which the decision will be based must be introduced at the hearing. The board will only hear or review evidence which is germane to the charge.

When the board members are satisfied that they have heard all pertinent and available information and that the student has been given an opportunity to make his/her final statement, they then deliberate in private. If the board members decide that the student is not responsible of the stated charge(s), the board chairperson informs the appropriate Vice President/Dean or designee of this decision orally at the conclusion of the board's deliberations, and in writing within 24 hours. The respective Vice President/Dean or designee shall notify the student of the decision as soon as practicable.

Assessment of Discipline

If the board members decide that the student is responsible of the charge(s), the chairperson is to submit the findings to the appropriate dean in writing within 24 hours, including the following information:

- the essential facts, and the major evidence, as determined by the board;
- the severity of the offense (Is it considered a minor or major infraction?);
- the sanction that they consider is appropriate for the nature of the incident and for the continued growth of

the student. (At the time the decision is reached that the student is responsible—but not before—they may ask the appropriate dean to provide them with appropriate academic and conduct records of the student in question.)

The board presents its findings and recommendations to the appropriate Vice President/Dean or designee. The imposition of discipline is the responsibility of and within the discretion of the Vice President for Academic Affairs and Dean of Faculty or designee or the Vice President for Student Affairs and Dean of Students or designee, if appropriate. Official notification of disciplinary action to be taken is provided to the individual by certified letter, return receipt requested, or by-hand with provisions for a signed receipt, from the appropriate Vice President/Dean or designee within 72 hours of the close of hearings. It explains both the nature of the action and the period during which it is effective. If the sanction imposed involves suspension or dismissal from the College, the Vice President/Dean or designee will inform the appropriate faculty members and campus security personnel of this decision. The right of the student to appeal and the appeals procedure is again set forth in the letter.

Appeal Procedure

If a student chooses to exercise his/her right to appeal, he/she must state the intent in writing to both the Vice President for Student Affairs and Dean of Students or designee and to the chairperson of the board that originally heard the case within one week of receipt of written notification of the original judiciary decision against the student.

The basis for any appeal to any and all disciplinary decisions must be clearly indicated, following the guidelines below:

- The student must present new evidence and/or show that inadequate attention was given to certain facts at the initial hearing, and/or . . .
- The student must provide evidence that he/she was denied basic procedural fairness, and/or . . .
- The student may attempt to show the inapplicability of the regulation under which the charge was brought to the particular case, and/or . . .

- The student may attempt to show that the original punishment was unduly severe.

The Office of the Vice President for Student Affairs has the discretion to decide whether to hear an appeal of student behavioral non-academic infractions. The Office of the Vice President for Academic Affairs has the discretion to decide whether to hear an appeal of an academic infraction. If a hearing is granted, it is to take place within 14 working days and will be called by the Vice President for Student Affairs and Dean of Students or designee or the Vice President for Academic Affairs and Dean of the Faculty or designee. The appeal will be deferred to the Bloomfield College Board of Appeal. Until the appeal is heard, no provision of the original disciplinary decision will be implemented. The appellate body upon hearing the evidence and argument presented shall make a recommendation to the appropriate Vice President/Dean or designee. The final imposition of discipline is the responsibility of and within the discretion of the Vice President for Academic Affairs and Dean of the Faculty or the Vice President for Student Affairs and Dean of Students or designee, as appropriate. At an appellate hearing, the individual is entitled to be accompanied by no more than two (2) advisors of their choice from the College community.

VI. THE JUDICIARY BOARDS

The College maintains three Judiciary Hearing Boards as components of the disciplinary administrative process. The Boards are the College Judiciary Board, the Peer Resident Judiciary Board and the Board of Appeals. No student or faculty member may serve simultaneously on more than one judiciary board. The College's Judiciary Boards convene at the request of the Vice President for Academic Affairs and Dean of the Faculty or designee or the Vice President for Student Affairs and Dean of Students or designee.

Bloomfield College Judiciary Board

The Bloomfield College Judiciary Board, at the recommendations of the Vice President for Student Affairs and Dean of Students or designee or the Vice President for Academic Affairs and Dean of the Faculty or designee will hear all cases involving student violations of the College's Standards of Conduct, unrelated to incidents occurring in any on/off campus College sponsored residential program.

This Board has original jurisdiction in all cases involving the alleged violation of all College rules and regulations and all allegations of academic misconduct. All cases involving the interpretation of the student government's Constitutions or policies will be referred to this Board.

Membership of the Bloomfield College Judiciary Board

Membership consists of three (3) faculty plus alternate and two (2) students plus alternate. The Chairperson will be a faculty member of the Board. A quorum of four (4) and the appropriate Vice President/Dean or designee, (an ex officio member) must be present to conduct business at a hearing; a majority of those present and voting is required to reach a final decision. The Chairperson or his/her designate shall vote only in case of ties, shall serve as spokesperson for the Board, and shall be responsible for submitting the written findings and recommendations. Written findings, recommendations and related material will be submitted to the Vice President for Student Affairs and Dean of Students or designee in cases regarding behavioral conduct and to the Vice President for Academic Affairs and Dean of the Faculty or designee in cases regarding academic irregularities. Whenever possible, hearings will be recorded. Mechanical failure and/or related problems with tape recording are not sufficient for invalidating or postponing the hearing. A tape recording, when available, will be submitted to the appropriate Vice President or Dean or designee with the written findings and recommendation.

The Peer Resident Judiciary Board

The Peer Resident Judiciary Board (PRJB) at the recommendation of the Director of Residence Life will only hear violations of Resident Student Terms of Agreement; violation of Standards of Conduct; general College policies; and violation of Residence Life Guide policies and procedures – while in a College sponsored residential facility. The Board will also hear cases involving violation in areas in surrounding residential building entrances and internal/external common areas (driveways, porches, sitting areas, etc.). The PRJB will not hear matters relating to academic dishonesty or any other violations related to student's conduct in a classroom setting.

Membership of the PRJB

The PRJB is comprised of five (5) resident students and one (1) administrator not employed by the Residence Life & Housing Department. One student must be a Veteran Resident Advisor (at least one full year on Resident Advisor Staff). The resident advisor staff will nominate and elect a representative to serve a full academic year at the annual August training program. The Senator for Resident Students shall appoint three (3) full time resident students of at least sophomore year status to serve on the Board and shall personally serve on the Board for the entire academic year.

The Board shall meet monthly to hear residential disciplinary cases between the 1st and 10th day of each month, and should not exceed 4 hearings per semester unless called to order at the request of the Vice President for Student Affairs and Dean of Students or designee. A quorum of four and the appointed administrator or designee must be present to conduct business at a hearing; a majority of those present and voting is required to reach a final decision. The Chairperson or his/her designee selected at the first meeting of the PRJB in September shall vote only in case of ties, shall serve as spokesperson for the Board, and shall be responsible for submitting the written findings and recommendations. Disciplinary hearings facilitated by the PRJB shall be informal, fair, and expeditious. These hearings are not subject to rules of courts of law and are not subject to civil or criminal court proceedings. The Board will render a decision and recommendations based on facts presented and

articulated policies and procedures of the College. Recommendations of the Board will be channeled through the office of the Director of Residence Life in written form within 24 business hours of hearing. The enforcement of appropriate sanctions for violations is at the discretion of the Director of Residence Life.

Bloomfield College Board of Appeals

This Board has no original jurisdiction. The primary responsibility of the Board is to review written requests for appeal of an initial decision, including all pertinent information related to the initial decision. The hearing of an appeal is at the discretion of the Vice President for Student Affairs and Dean of Students or designee or the Vice President for Academic Affairs and Dean of the Faculty or designee based on nature of infraction, and criteria specified under the sub-heading Appeal Procedure. This Board may also review and make recommendations concerning the total Judiciary Program, including statements of policy, rules and regulations, and the functioning of the judiciary boards of original jurisdiction.

Membership of the Board of Appeals

Membership consists of four (4) faculty plus alternate and three (3) students plus alternate. The Chairperson will be a faculty member of the Board. A quorum of six members and the Vice President of Student Affairs and Dean of Students or designee (an ex officio member) must be present to conduct business. A majority of those present and voting is required to reach a final decision. The same quorum requirement shall also apply to the review of written requests for appeal. The Chairperson or his/her designee shall vote only in case of ties, shall serve as spokesperson for the Board, and shall be responsible for submitting the written findings and decisions to the appropriate Vice President/Dean or designee. A tape recording shall be made of all hearings and submitted to the appropriate Vice President/Dean or designee with the written findings and decision. There shall be no copy made of the tape recording. All decisions of this Board are final. Official notification to the student of the decision of the Board shall be made in writing by the Chairperson within 72 hours of the close of the review of the request for the appeal or the appeal hearing.

Note: The Vice President for Academic Affairs and Dean of the Faculty or designee will serve in place of the Vice President for Student Affairs and Dean of Students or designee for appeals related to academic irregularities.

Election of Members to the Judiciary

With the exception of the Peer Resident Judiciary Board, student membership pool of nine students shall be elected at the time of the regularly scheduled spring student elections run by the Office of Student Affairs. Students must have an overall grade point average of 2.3 for eligibility.

With exception to the Peer Resident Judiciary Board, faculty membership pool of nine faculty members shall be elected at the regular spring faculty election. Four/five faculty members each year will be elected to serve for two year terms. No member shall serve more than two successive years.

Alternate Members

As noted above, it is imperative that each board have alternate members who can be called on to serve in the absence of a regular member(s), when a regular member must excuse himself/ herself because of bias, prejudice, or direct involvement in the case, and during periods when the convening of a particular board is difficult. The alternate members are selected from the student pool and from the faculty pool of Judiciary Board members.

Assignment of Elected Members to Cases

Faculty and student members will be assigned to cases by the Vice President for Student Affairs and Dean of Students or designee using a rotation system. No member may serve as both a witness and as a voting member for the same case. No member may hear the same case on both the Judiciary Board and the Appeals Board.

Student Member Vacancies

Vacant student positions on judiciary boards can be filled by appointment. The Appointment Committee shall consist of one representative from each of the following: Student Government, the Faculty, and the appropriate Vice President/Dean's Office (for student conduct issues the Vice President for Student Affairs and Dean of Students or designee and for academic issues the Vice President for Academic Affairs and Dean of Faculty or designee).

Ombudsman

The Office of Student Affairs shall appoint an ombudsman, an expert in the College judicial process, who will serve in an impartial and confidential role in guiding the student through the judicial process, and who will also be available to counsel the advisor chosen by the student. The ombudsman may be present at the hearing, even if it is otherwise closed. The ombudsman shall in no way be involved in the prosecution of the case, in the determination of responsibility, or in the sanctioning. The ombudsman may not offer testimony in the case, nor in any other way violate the confidentiality of the student.