



# **STUDENT CONDUCT SYSTEM HANDBOOK**

## **2024-2025**

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## Student Rights and Responsibilities

At Syracuse University, we are committed to ensuring a diverse, equitable, inclusive, and accessible campus environment for all. We value diverse identities and viewpoints, and believe diversity and inclusion enhance who we are as students, faculty, staff, and alumni.

Syracuse University is an academic community and all persons—students, faculty, administrators, and staff—share responsibilities for its growth and continued welfare. As members of the University community, students can reasonably expect that all members of the University community will respect the following rights:

### **1. SPEECH/EXPRESSION/PRESS**

Students have the right to express themselves freely on any subject provided they do so in a manner that does not violate the Student Conduct Code. Students in turn have the responsibility to respect the right of all members of the University to exercise these freedoms.

### **2. NON-DISCRIMINATION**

Students have the right not to be discriminated against by any agent or organization of Syracuse University for reasons of being members of a protected category, including; creed, ethnicity, citizenship, sexual orientation, national origin, sex, gender, pregnancy, reproductive health decisions, disability, marital status, political or social affiliation, age, race, color, veteran status, military status, religion, domestic violence status, genetic information, gender identity, gender expression or perceived gender. Students have the responsibility not to discriminate against others.

### **3. ASSEMBLY/PROTEST**

Students have the right to assemble in an orderly manner and engage in peaceful protest, demonstration, and picketing which does not disrupt the functions of the University, threaten the health or safety of any person, or violate the Student Conduct Code.

### **4. RELIGION/ASSOCIATION**

Students have the right to exercise their religious convictions and associate with religious, political, or other organizations of their choice in University facilities provided they do so in a manner that respects the rights of other members of the community and complies with the Student Conduct Code. Students have the responsibility to respect the rights of other members of their University community to free exercise of their religious convictions and to free association with organizations of their choice.

## **5. PRIVACY/SEIZURE**

Students have the right of privacy and to be free from unreasonable searches or unlawful arrest on University property and within their campus residences. Students have the responsibility to respect the privacy of other members of the University community in their person and in their place of residence.

## **6. ACADEMIC PURSUITS**

Students have the right to accurate and plainly stated information relating to maintenance of acceptable academic standing, graduation requirements, and individual course objectives and requirements. Students can expect instruction from designated instructors at appointed class times and reasonable access to those instructors. Students have the responsibility to attend class and know their appropriate class requirements.

## **7. QUALITY ENVIRONMENT**

Students have the right to expect a reasonably safe environment supportive of the University's mission and their own educational goals. Students have the responsibility to protect and maintain that environment and to protect themselves from all hazards to the extent that reasonable behavior and precaution can avoid risk.

## **8. GOVERNANCE/PARTICIPATION**

Students have the right to establish representative governmental bodies and to participate in University governance in accordance with the rules and regulations of the University. Students who accept representative roles in the governance of the University have the obligation to participate responsibly.

## **9. FUNDAMENTAL FAIRNESS**

Students have the right to fundamental fairness before formal disciplinary sanctions are imposed by the University for violations of the Student Conduct Code—as provided in the published procedures of the University's Conduct System or other official University publications. Students have the right to written notice and the opportunity for a hearing before any change in status is incurred for disciplinary reasons unless a significant threat to persons or property exists.

## **10. CONFIDENTIALITY**

Students have the right to access and control access to their educational records as provided by the federal Family Educational Rights and Privacy Act. These include the rights to review educational records, and control disclosure of personal and academic information to third parties.\*

\*The above statement is also true for international students and scholars, except where specified by the legislation, rules, and regulations governing the particular visa status.

## Student Conduct Code

Syracuse University students are expected to conduct themselves in a manner that supports and promotes the educational mission of the University. Integrity, respect for one another and others' property, and a commitment to intellectual and personal growth in a diverse community are core values of Syracuse University.

### **Bias Sanction Enhancement Clause:**

Conduct motivated by bias against a targeted individual's or group's protected characteristics can negatively impact students' ability to succeed to their fullest in our community and may also threaten health and safety. Evidence sufficient to show it is more likely than not that a student's misconduct was motivated by bias regarding an individual or group's actual or perceived creed, ethnicity, citizenship, sexual orientation, reproductive health decisions, national origin, sex, gender, pregnancy, disability, marital status, political or social affiliation, age, race, color, veteran status, military status, religion, domestic violence status, genetic information, gender identity, and/or gender expression may result in more substantial sanction(s).

The following behaviors or attempted behaviors, if established by a preponderance of the evidence, are considered violations of the Syracuse University Student Conduct Code:

1. Physical assault of any person(s), or an express threat to physically harm any person(s) whether made verbally, in writing, electronically or online, including but not limited to sexual assault, dating and domestic violence, or stalking as defined in the University's Sexual Harassment, Abuse, and Assault Prevention Policy.
2. Actions which constitute active assistance or participation in, express promotion of, or perpetuation of harassment as defined in the Syracuse University Anti-Harassment Policy or the Sexual Harassment, Abuse, and Assault Prevention Policy, whether engaged in physically, electronically, or online, verbally, in writing or via video recording. Bias-motivated incidents (sometimes referred to as "hate" incidents) may qualify as harassment under the definitions set forth in the University's Anti-Harassment Policy.
3. Active assistance or participation in, express promotion of, or perpetuation of conduct, including but not limited to bullying of an individual or group, whether engaged in physically, electronically, online, verbally, in writing or via video recording, which (i) was intentional or engaged in with reckless indifference to the foreseeable impact, (ii) was severe or pervasive, and (iii) was reasonably likely to cause physical or mental harm to the individual(s) subjected to it.

4. Academic dishonesty,<sup>1</sup> including but not limited to plagiarism, cheating, and other forms of academic misconduct such as misuse of academic resources or facilities, intellectual property theft and/or misuse of computer software, data, equipment, or networks.
5. Intentional disruption or obstruction of teaching, research, administration, athletic, artistic, expressive (including non-disruptive peaceful protest), or other activities or operations of the University or its students, faculty, or staff (a) authorized to take place on University owned or leased property, (b) pursuant to a University program, event, or activity, or (c) that obstructs or blocks access to University owned or leased property or a University program, event, or activity.
6. Theft of or damage to University, personal, public, or private property/services or illegal possession or use of the same.
7. Forgery, alteration, fabrication, or misuse of University or other official identification cards, records, reports, grades, diplomas, documents, computer files, or systems. This includes, without limitation, possession or purchase of falsified identification cards or misrepresentation of any kind to a University office, University official, or law enforcement official acting within the scope of their authority.
8. Unauthorized entry or use of University facilities that are locked, closed, or otherwise restricted as to use.
9. Disorderly conduct including, but not limited to, acts that breach the peace, constitute public intoxication, are lewd, indecent, or obscene.
10. Use or possession of alcohol, drugs, or drug paraphernalia, in violation of the Syracuse University Policy on Alcohol, Other Drugs, and Tobacco or applicable federal, state, or local law.
11. Purchase, distribution, manufacture, or sale of alcohol, drugs, or drug paraphernalia, in violation of the Syracuse University Policy on Alcohol, Other Drugs, and Tobacco or applicable federal, state, or local law.
12. Failure to comply with the lawful directives of University employees performing the duties and responsibilities of their position or office, including without limitation, matters related to the maintenance of safety or security.
13. Unauthorized (i) possession, brandishing, or use of any weapon, including firearms, BB-guns, airsoft guns, air rifles, explosive devices, fireworks, or any other dangerous, illegal, or hazardous object or material, or (ii) improper use as a weapon of any otherwise permitted object or material. This

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<sup>1</sup> Cases involving academic dishonesty are overseen by the Center for Learning and Student Success.

includes, without limitation, any conduct that violates the University's Weapons Policy. Exceptions may be approved in advance by the Department of Public Safety for theatrical productions or athletic/recreational events.

14. Interference with or misuse of fire alarms, blue light safety phones, elevators, fire doors, limited access or otherwise secured entry doors, security cameras, or other safety and security equipment or programs.
15. Active assistance or participation in, express promotion of, or perpetuation of hazing as defined in the Syracuse University Anti-Hazing Policy or applicable local, state, or federal law.
16. Active participation in, or promotion to other students of, a student organization the University has identified as having lost University recognition on a temporary or permanent basis.
17. For student leaders of Registered Student Organizations or Sport Clubs holding an executive position (president, vice president, treasurer, new member educator, recruitment chair, social chair, captain, co-captain, or the equivalent ), failure to promptly take affirmative action to intervene, contact public safety, or otherwise notify a relevant University official when the student leader has reason to know of a situation that a reasonable person would perceive threatens the health or safety of another individual or the campus community.
18. Violation of international, federal, state, or local law if such violation (a) impacts or adversely affects the University's pursuit of its educational mission or other authorized activities, programs, or operations, or the local community, (b) limits or otherwise impairs a student's ability to fully engage in academic courses and requirements, or (c) indicates a threat to health or safety. Where such violation is the basis for a complaint under the Student Conduct Code, the student will be provided a citation to the specific statute, ordinance, or law at issue.
19. Violation of University policies, rules, or regulations that are published in the Student Handbook, other official University publications, websites, or agreements.

The Student Conduct Code applies to all students and student organizations at Syracuse University and students are expected to become familiar with its provisions. Violations can occur either on or off campus. Being under the influence of alcohol or drugs does not diminish one's responsibility for adhering to the Code.

Other policies of the University may be found on the Syracuse University website and in other University publications.



## Definitions

**Administrative Hearing Officer:** A faculty, staff, or external professional appointed by the Director of Community Standards who is responsible for formal resolution of alleged policy violations, determining facts and responsibility, and applying appropriate sanctions.

**Associate Vice President and Dean of Students (AVP/DOS):** The senior leader within the Student Experience Division responsible for the supervision of the University Student Conduct System, the imposition of interim suspensions, the appointment of University Appeals Board members, and reviewing requests for appeals to the University Appeals Board.

**Case Presenter:** An individual appointed by the Director of Community Standards and trained to present information on behalf of the University at a formal hearing with the University Conduct Board or Administrative Hearing Officer. This person shall present information regarding the alleged behavior, the alleged violations of the Student Conduct Code, and call and question witnesses who participate in the hearing process. This person is not involved in determining responsibility for any alleged policy violations or sanctions for those found responsible.

**Complainant:** Any reporting individual or office that submits a complaint to Community Standards alleging violations of the Student Conduct Code or other University policy.

**Conduct Officer:** A member of the Student Experience Division designated to review, hear, and resolve alleged violations of the Student Conduct Code or other University policies and impose sanctions, as appropriate.

**Director of Community Standards:** The individual who is charged with the overall supervision, implementation, and operation of the student conduct and bias response processes. The Director of Community Standards manages the office and staff, appoints conduct officers, members of the University Conduct Board and Administrative Hearing Officers, checks to make certain students are afforded a fair hearing and outcome, confirms their decisions, advises the University Appeals Board, and ensures that the overall functioning of the University Student Conduct System is consistent with applicable procedures set forth in this Handbook. The Director is also responsible for the supervision of the University's bias education and response processes.

**Hearing:** A meeting with members of the University Conduct Board or Administrative Hearing Officer where both a Complainant and the Respondent have the opportunity to present their full account of an incident, present relevant evidence, and respond to alleged violations of the Student Conduct Code or other University policy.

**Hearing Chair:** The individual designated to lead formal University Conduct Board hearings and who is responsible for maintaining order in a University Conduct Board hearing. This person may be a student, faculty, or staff.

**Hearing Board Advisor:** The individual designated by the Director of Community Standards, or designee, to advise the University Conduct Board and/or University Appeals Board and provides logistical/administrative support and who ensures that the proper University policies, and processes are adhered to in all hearing proceedings.



**Interim Measure:** Any temporary measure or action taken by the University to maintain safety and orderly operation of the University. Examples include temporary no contact orders, investigative status, and interim suspension.

**Investigator:** An individual who conducts an impartial fact-finding investigation into an alleged violation of the Student Conduct Code by a student and/or student organization.

**Procedural Advisor:** A faculty, staff, or student member of the Syracuse University community who provides procedural advice and support to Complainants and Respondents in the conduct process.

**Resolution Meeting:** A meeting with a Conduct Officer where a Respondent discusses alleged violations of the Student Conduct Code or other University policies, and both parties seek mutual agreement on a resolution.

**Respondent:** The student or student organization who is the subject of a complaint filed with Community Standards.

**Senior Vice President and Chief Student Experience Officer:** The chief student experience officer of Syracuse University, designated by the Chancellor to oversee all aspects of the student experience.

**Student:** Any person who has been offered and accepted admission to any Syracuse University degree or certificate program, or any other University operated educational program or opportunity. A person is considered a student and subject to the Student Conduct Code until such time as they graduate or otherwise permanently separate from the University, including during breaks between academic sessions. Students on an approved Leave of Absence are considered students under the Student Conduct Code.

**Student Organization:** Any group or collective comprised of Syracuse University students, including all registered student organizations or other student groups recognized by the Student Association, Fraternity and Sorority Affairs, academic college/school, or department, and/or the University.

**University:** Syracuse University.

**University Appeals Board:** A panel comprised of students, faculty, and/or staff trained to review outcomes from the University Conduct Board or an Administrative Hearing Officer.

**University Community:** All students, employees, and affiliates of Syracuse University.

**University Conduct Board:** A panel comprised of students, faculty, and/or staff trained to review, hear, and resolve alleged violations of the Student Conduct Code or other University policies and apply sanctions, as appropriate.

**Witness:** A person who has relevant direct or indirect knowledge of the facts of an incident. This may include, but is not limited to, faculty, staff, students or any other person present for an incident, or a first responder (e.g., Department of Public Safety, Student Living Staff/on-call staff). Character witnesses are not permitted in the conduct process.

## Bias Incident Response

Syracuse University seeks to foster an inclusive campus community where all members feel welcomed and supported. The University is committed to responding quickly and thoughtfully to bias incidents on campus. Bias incidents are defined by the University as expressions of hostility against a person or property of another because of the targeted person's real or perceived legally protected personal characteristics, including creed; ethnicity; citizenship; reproductive health decisions; national origin; sex; gender; pregnancy; disability; marital status; political or social affiliation; age; race; color; veteran status; military status; religion; sexual orientation; domestic violence status, genetic information; gender identity; gender expression or perceived gender. This process applies to incidents reported through the [STOP Bias portal](#). When the University receives a report of a bias incident, the following process occurs:

1. The incident is reviewed by the Associate Director of Bias Response and Education or designee.
2. If the incident is potentially criminal in nature, the incident will be referred to the Department of Public Safety for assessment and possible investigation.
3. If the Respondent is a faculty or staff member, the incident is referred to the Office of Equal Opportunity, Inclusion, and Resolution Services. If the Respondent is a student/student organization, the Associate Director of Bias Response and Education or designee will reach out to the reporting and impacted parties to gather more information and provide support.
4. If the incident rises to the level of a violation of the Student Conduct Code and if the impacted party(ies) would like the incident to be addressed as a Code violation, the case will proceed according to the process outlined in this handbook.
5. Educational interventions may be most appropriate if the incident does not rise to the level of a violation of the Code, the impacted party does not elect to initiate the conduct process, or there is not enough information to proceed.
6. The University may decide to proceed with the conduct process without the assistance of the impacted party(ies) if the incident poses a threat to the campus community or impacts bystanders or the community at large.

# STUDENT CONDUCT PROCEDURES

## Part 1. Organization and Philosophy

- 1.1 Syracuse University is an institution of higher learning where individual growth and development are fostered, excellence is pursued, and the highest standards of integrity are expected in all areas of life. Syracuse University is committed to providing an environment where persons are physically safe, property is secure, individual rights of all persons are respected, and education of the highest quality is achieved.
- 1.2 The Trustees and Chancellor of Syracuse University have delegated authority to the University Student Conduct System to adjudicate cases alleging violations of the Student Conduct Code by Syracuse University students and student organizations. The procedures outlined in this handbook apply to the resolution of alleged misconduct in violation of the Code or other University policies, as well as any related matters. Academic integrity cases are handled through a separate process administered by the Center for Learning and Student Success (CLASS).
- 1.3 Oversight of the Student Conduct System is the responsibility of the Senior Vice President and Chief Student Experience Officer. Implementation of these procedures is the responsibility of Community Standards. The Student Conduct Code outlines the behavior that is expected of all students at Syracuse University. Having voluntarily enrolled at Syracuse University, all students have entered into an agreement to abide by the rules and regulations set forth in the Student Conduct Code and other University policies. Each student is responsible for conforming their conduct to the requirements of this code and applicable federal, state, and local laws.
- 1.4 Syracuse University considers its Student Conduct Code as a statement of minimal expectations and seeks to foster a commitment to the highest standards of ethical behavior by the coherent, consistent, and fair way it enforces its rules and regulations. The University views its student conduct process as a learning experience that is intended to result in personal growth, empathy, and understanding.
- 1.5 Timeframes mentioned in these procedures are estimates only. Conduct cases and specific components of cases may take shorter or longer depending on various factors, including but not limited to, the nature and complexity of the case; availability of parties and witnesses; time of year; numbers of parties; etc.

## Part 2. Jurisdiction

- 2.1. University Student Conduct System has jurisdiction over all alleged violations of the Student Conduct Code by any student or student organization that may be brought to its attention. Students and student organizations may be responsible for the conduct of their guests. Jurisdiction extends to alleged misconduct that takes place: on University owned or operated property or on property that is the temporary or permanent residence of a student, including Greek Letter Organization chapter houses; at any University sponsored event, program, or activity; and at any location off campus and/or virtually if the alleged misconduct has an adverse impact on the educational mission or well-being of the University Community. The Student Conduct Code applies from the time of a student's acceptance of admission until the time they graduate or otherwise permanently separate from the University including all university breaks and holidays. Admitted students who have not yet matriculated are not entitled to the procedures described in this Student Conduct System Handbook, and the University reserves the right to revoke admission for any conduct pre-matriculation that demonstrates poor citizenship and character as determined in the University's sole discretion.
- 2.2. The Student Conduct System has jurisdiction over complaints against students alleging sex discrimination including sexual and gender-based harassment, assault, and violence. The Syracuse University [Sexual Harassment, Abuse, and Assault Prevention Policy](https://policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/sexual-harassment-abuse-and-assault-prevention) ([policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/sexual-harassment-abuse-and-assault-prevention](https://policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/sexual-harassment-abuse-and-assault-prevention)) applies to all University programs and activities, and the conduct [procedures for cases of sexual harassment](https://policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/sexual-harassment-abuse-and-assault-prevention/student-procedures/) are available on the University policies website at <https://policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/sexual-harassment-abuse-and-assault-prevention/student-procedures/>.
- 2.3. University student conduct proceedings are administrative in nature and independent of any criminal and/or civil legal proceedings, even when those proceedings are concurrently in process. Student conduct proceedings use the Preponderance of the Evidence, or "More Likely Than Not" standard of proof and are intended to enforce the Student Conduct Code and other University policies at Syracuse University. The University may notify local and federal authorities when a crime is alleged to have been committed. The legal rules of evidence do not apply in the University conduct process.

### **Part 3. Campus Partners in the Conduct Process**

Certain administrators have been delegated authority to take specific administrative actions to promote the safety and well-being of members of the University community and to enforce other administrative policies.

- 3.1 Assistant Vice President of Student Living, or designee, is authorized to respond to alleged violations of Student Living Residential Policies consistent with the policies published by Student Living. These policies and procedures are independent of the University Student Conduct System. Questions about the Student Living Residential Policies process should be directed to Student Living, 111 Waverly Avenue, Suite 200, or 315.443.3637.

The Assistant Vice President of Student Living, or designee, is also permitted to respond on an emergency basis to behavioral incidents alleged to violate the Student Conduct Code by relocating a student within or removing a student from University housing on a temporary basis pending fulfillment of specific conditions and/or review of the matter by other University officials or resolution by the University Student Conduct System.

- 3.2 The Barnes Center Counseling Clinical Director and the Medical Director, or designee are authorized to respond to significant psychological, physical, or substance-abuse related conditions or other student behavior that poses a direct threat to members of the University community, or that disrupts the regular operations of the University. A student who fails to attend and actively participate in an assessment, an educational program, and/or other intervention as required or who engages in behaviors that pose a direct threat to members of the University community, or causes disruption of the regular operations of the University may be subject to an interim suspension from the University pending further proceedings.
- 3.3 The Director of Student Title IX Case Management and Student Title IX Coordinator, or designee, is authorized to respond to alleged incidents of sex or gender-based discrimination or harassment, and other federal or state discrimination laws involving students. This includes providing interim relief such as adjusting academic schedules, relocating students in housing, or issuing a temporary no contact order or other actions consistent with the University's responsibilities. The Chief Equal Opportunity Officer who oversees the Equal Opportunity, Inclusion, and Resolution Services (EOIRS) manages this process for incidents involving faculty/staff. Questions about discrimination or harassment, as well as the implications of Title IX for students, should be directed to Student Title IX Case Management, 005 Steele Hall, 315.443.0211 or [titleix@syr.edu](mailto:titleix@syr.edu).
- 3.4 The Director of Recreation, or designee, is authorized to respond to alleged violations of fitness center expectations and the Barnes Center Recreation published and/or posted policies. These policies and procedures are independent of the University Student Conduct

System. Questions about Recreation policies should be directed to the Barnes Center, 150 Sims Drive, 315.443.8000 or [syracuse.edu/bewell](http://syracuse.edu/bewell).

- 3.5 The Director of Fraternity and Sorority Affairs, or designee, is authorized to respond to alleged violations of published policies of Fraternity and Sorority Affairs alleged to have been committed by Greek Letter Organizations. These policies and procedures are independent of the University Student Conduct System. Questions about policies of Fraternity and Sorority Affairs should be directed to Fraternity and Sorority Affairs, 138 Women's Building, 315.443.2718 or [fasa.syr.edu](http://fasa.syr.edu).

#### **Part 4. Interim Suspension, No Contact Orders and Other Administrative Actions**

**The University may impose certain immediate actions while alleged policy violations are investigated and/or conduct charges are pending. These interim measures are not disciplinary outcomes but are utilized to promote safety and prevent negative incidents and interactions.**

- 4.1. The Dean of Students, or designee, determines if an interim suspension or other provisional measures should be imposed. This action may be taken to promote the safety and well-being of the University community or where a student on probation as a result of a Student Conduct Code violation commits a similar infraction, demonstrating an unwillingness to comply with University policy. Interim suspension limits a student's ability to be physically present on University property, participate in classes, and participate in all University activities. Unless there are extenuating circumstances, a student who is interim suspended will be notified of any alleged policy violations within three (3) business days of the transmittal of the interim suspension notice. Alleged policy violations are subject to change depending on the information gathered during an investigation. All efforts will be made to investigate the incident further and proceed with the student conduct process in a timely fashion.
- 4.2. A student who is placed on interim suspension will be given the opportunity to appeal their interim suspension to the University Appeals Board. Any appeal must be made by the student in writing within five (5) business days of the notice of the interim suspension. Within three (3) business days of receipt of the student's written appeal, the University Appeals Board will review the case, including the student's written appeal and the Dean of Students or designee's articulated basis for imposing the interim suspension, to determine whether the interim suspension was appropriate at the time it was issued, and/or if it should be continued or modified.
- 4.3. The University Appeals Board will decide the appeal on the written materials only. The University Appeals Board will make a preliminary determination within three (3) business days of the review and transmit that preliminary determination to the Senior Vice President and Chief Student Experience Officer, or designee. The Senior Vice President and Chief Student Experience Officer, or designee, will review the preliminary decision of the University Appeals

Board and may affirm, modify, or return it for further proceedings. The Senior Vice President and Chief Student Experience Officer's decision will be communicated to the student within three (3) business days of receipt of the preliminary determination by the University Appeals Board, and that decision is final and subject to no further institutional process or review.

- 4.4. If the student does not appeal the interim suspension, the interim suspension remains in effect pending the outcome of a resolution by agreement meeting or final outcome of a formal hearing and any subsequent appeal. The interim suspension may be rescinded or modified by the Dean of Students, or designee, at any time, in the Dean's or designee's discretion.

Where an interim suspension or other measures are imposed in a case involving the arrest of the Respondent, the University may require the associated criminal matter to be resolved in full prior to the pending conduct case being heard. In cases of sexual misconduct, the University may be required to proceed with the conduct case prior to resolution of an associated criminal matter.

- 4.5. Investigative Status is an interim measure imposed on a student organization to protect the safety, security, or well-being of all members of the University Community. A student organization placed on Investigative Status is prohibited from engaging in any organizational activities until a full investigation and any resulting conduct complaint are concluded, or until the Investigative Status is otherwise lifted or modified at the discretion of the Director of Community Standards.
- 4.6. No Contact Orders (NCO) are issued to prohibit communication between designated students when there is reason to believe that continued contact is not in the best interest of the involved students. NCOs are not considered disciplinary action and are intended to promote student safety and security, and to prevent future negative interactions between the students.
- No Contact Orders prohibit all forms of contact between students including, but not limited to, contact via social media, electronic communications, contact via a third-party proxy and/or in-person contact.
- 4.7. Temporary No Contact Orders may be issued as a temporary directive to prohibit communication between designated students when there is reason to believe continued contact is not in the best interest of the involved students. Temporary NCOs will be reviewed by the Director of Community Standards, or designee, within two (2) business days of being issued to determine if there is a need to continue the NCO, amend it, or remove it. Both parties will be notified in writing of the decision.
- 4.8. When a No Contact Order is issued, all parties will receive a written copy of the NCO electronically via their University email address. The University official issuing the NCO (usually



a staff member in the Student Experience Division) will review the meaning and impact of the NCO with each student. This may occur in person, via teleconference, or phone. All parties named in an NCO are expected to avoid contact with the other. NCOs typically impose mutual restrictions on the parties.

- 4.9. No Contact Orders remain in place unless: amended or rescinded by the Dean of Students, or designee; or upon a request for reconsideration as outlined in Part 4.10; or by the University Conduct Board, Administrative Hearing Officer, or University Appeals Board after the resolution of a conduct case, as appropriate.
- 4.10. No Contact Orders may be removed or amended at the discretion of the Dean of Students, or designee, through request for reconsideration submitted to Community Standards by either party. In the event of a request for reconsideration, either involved student may submit a written request to have the NCO removed or amended. The request must include:
- a. A description of the events that caused the NCO to be issued.
  - b. Names of those listed on the NCO.
  - c. Reasons why the NCO should be removed or amended.
  - d. Plans to prevent any negative incidents from occurring between parties listed if the NCO is removed or amended.

When a request for reconsideration has been filed, the other party(ies) to the NCO may be permitted to respond in writing within three (3) business days after the request has been provided to them. Responses must not exceed two (2) pages, double-spaced, using 12-point font and 1-inch margins (not including attachments.) Any response may be forwarded by Community Standards to the appealing party.

No Contact Orders will not be considered for removal or amendment if all elements set forth in a, b, c, and d above are not addressed in the request for reconsideration, the initial basis for the NCO stemmed from an incident involving violence or threats of violence, or if there is evidence of the likelihood of future negative incidents between listed parties.

- 4.11. Violations of No Contact Orders may result in a student's interim suspension and the filing of new or additional Student Conduct Code charges.
- 4.12. No Contact Orders are an interim measure not part of a student's conduct record unless a violation of the NCO results in a finding of responsibility under the Student Conduct Code.
- 4.13. In certain instances, to promote the safety and well-being of the University community, the University may impose an interim residential relocation on students while a conduct case is pending. Interim residential relocation is not a disciplinary action.

## **Part 5. Advisors and Representation During the Conduct Process**

NOTE: FOR CASES INVOLVING SEXUAL ASSAULT, STALKING, GENDER-RELATED HARASSMENT, DATING OR DOMESTIC VIOLENCE, OR OTHER PROHIBITED CONDUCT AS DEFINED IN THE SEXUAL HARASSMENT, ABUSE, AND ASSAULT PREVENTION POLICY, SEE [TITLE IX GUIDE](#).

- 5.1 Complainants and Respondents may elect to be advised throughout the conduct process by a Procedural Advisor. Except in cases involving sex-based discrimination or sexual misconduct, persons who may serve as Procedural Advisors are limited to full-time students, faculty, and staff of Syracuse University. Parents/guardians, external attorneys, and fact witnesses may not serve as Procedural Advisors.

Community Standards maintains a pool of trained University community members who may be available to provide procedural advice and support to Complainants and Respondents in conduct cases. A Procedural Advisor from the Community Standards pool is based on availability and is not guaranteed. Students may always elect to choose a Procedural Advisor who is a student, faculty, or staff member outside the pool. Community Standards will assign a Procedural Advisor for all Formal Hearings unless a student declines or wishes to have an alternate advisor of their choice. In such cases, it is the student's responsibility to ensure their advisor is available for their scheduled hearing.

- 5.2 In cases involving sex-based discrimination or sexual misconduct, Complainants and Respondents may be advised by advisors of their choice, including attorneys, throughout all phases of an investigation and conduct process. See the Sexual Harassment, Abuse, and Assault Prevention procedures for more detail, available at: <https://policies.syr.edu/policies/university-governance-ethics-integrity-and-legal-compliance/sexual-harassment-abuse-and-assault-prevention/student-procedures/>.
- 5.3 The University Conduct Board, University Appeals Board, or an Administrative Hearing Officer may be advised throughout the process by an advisor appointed by the University. The advisor may be internal or external to the University and may include attorneys.

## **Part 6. Investigation Process**

NOTE: FOR CASES INVOLVING SEXUAL ASSAULT, STALKING, GENDER-RELATED HARASSMENT, DATING OR DOMESTIC VIOLENCE, OR OTHER PROHIBITED CONDUCT AS DEFINED IN THE SEXUAL HARASSMENT, ABUSE, AND ASSAULT PREVENTION POLICY, SEE [TITLE IX GUIDE](#).

- 6.1 Student Conduct Investigation Process - Once a report has been submitted to Community Standards, it may be referred for further investigation at the discretion of the Director of Community Standards or designee if additional information is needed.
- 6.2 Investigation Initiated - If an investigation is required, the Student Conduct Investigator may contact the reporting party to make them aware that an investigation is taking place. The Student Conduct Investigator will attempt to collect any essential information from the reporting party.
- 6.3 Notification - If it is determined that interviews are required as a part of an investigation, students will be notified of the date, time, and location of their interview through their Syracuse University email account. Students who fail to attend their investigation interview meeting may be charged with violating Section 12 of the Student Code of Conduct for failure to comply.
- 6.4 Interviews - When conducting interviews, an Investigator will review the student's rights at the beginning and remind students that participation is voluntary. If the student chooses to participate in the interview, the student may answer questions asked by the Investigator. Relevant information shared with the Investigator will be part of the investigation report written by the Investigator at the conclusion of the investigation. Students who participate in an investigation interview will be provided the opportunity to review their interview summary statement written by the Investigator at the conclusion of the Investigation.
- 6.5 Investigation Report - At the end of the investigation, an investigation report is written and submitted to the Director of Community Standards. The Investigator will make a recommendation to move forward with a conduct process if there is evidence of a possible violation(s) by a student or organization. If there is insufficient evidence to establish a Code violation, the Investigator will recommend closing the matter without further action.
- 6.6 Resolution Process - Alleged violations of the Student Conduct Code resulting from a Student Conduct Investigation are resolved according to Part 7 of the Student Conduct System Handbook.
- 6.7 Students are not permitted to use recording devices (audio and/or video) of any kind during investigation meetings/interviews. Students may, however, make written notes of the meeting.

## **Part 7. Resolution by Agreement Process**

NOTE: FOR CASES INVOLVING SEXUAL ASSAULT, STALKING, GENDER-RELATED HARASSMENT, DATING OR DOMESTIC VIOLENCE, OR OTHER PROHIBITED CONDUCT AS DEFINED IN THE SEXUAL HARASSMENT, ABUSE, AND ASSAULT PREVENTION POLICY, SEE [TITLE IX GUIDE](#).

- 7.1 Reports alleging violations of the Student Conduct Code or other University policies may be submitted to Community Standards by anyone. All reports are reviewed by the Director of Community Standards or designee to determine if the alleged conduct, if proven, would violate the Code or other University policy. Reports may be dismissed outright, referred to an investigator if additional information is needed, or referred to a conduct officer for possible resolution by agreement.
- 7.2 When there is enough information to move forward with the conduct process, the case will proceed to resolution by agreement, and the subject(s) of the report will receive a meeting request at their Syracuse University email. The letter will include a summary of the alleged incident, the alleged violations of the Student Conduct Code, information regarding support from Procedural Advisors, the process to request disability accommodations, the process for requesting a copy of the report, and the date/time/location of the meeting.
- 7.3 Students may be accompanied by a Procedural Advisor during any meeting regarding resolution of their case. Procedural Advisors may be any faculty member, staff member, or student; external attorneys are not permitted to serve as Procedural Advisors as outlined in Part 5.
- 7.4 Resolution by Agreement meetings are not recorded, and recording devices are not permitted. However, students may take notes during the meeting. At the beginning of a resolution meeting, a student will be provided with the following information by a conduct officer:
  - a. Student's rights and responsibilities.
  - b. Overview of the conduct process.
  - c. Resolution options (e.g., resolving with the conduct officer at the first meeting, requesting to schedule another meeting, or referral to a University Conduct Board hearing).
  - d. The student's right to decline the resolution by agreement proposed by the Conduct Officer and proceed to a formal hearing.

7.5 Resolution by Agreement meeting may result in one of the following outcomes:

- a. A student(s)/organization(s) and conduct officer mutually agree on an outcome, including agreement on any policy violations and sanctions.
- b. A resolution between the student and the conduct officer is not reached and the student is referred to a University Conduct Board or Administrative Hearing Officer.
- c. The alleged misconduct, if true, would not constitute a violation of the Student Conduct Code.

7.6 If a student/student organization does not attend the scheduled resolution meeting without prior notice to Community Standards, or elects not to participate in the Resolution by Agreement process, a decision may be rendered in the student's or organization's absence.

7.7 A student(s)/organization(s) may request that a resolution by agreement be reconsidered within five (5) business days. After five (5) days the resolution by agreement is considered final. Requests for reconsideration submitted within five (5) days shall be reviewed by the Director of Community Standards (or designee). The Director (or designee) may modify or uphold the original decision of the conduct officer, or refer the matter for a formal hearing as appropriate.

## **Part 8. Formal Hearing Process**

NOTE: FOR CASES INVOLVING SEXUAL ASSAULT, STALKING, GENDER-RELATED HARASSMENT, DATING OR DOMESTIC VIOLENCE, OR OTHER PROHIBITED CONDUCT AS DEFINED IN THE SEXUAL HARASSMENT, ABUSE, AND ASSAULT PREVENTION POLICY, SEE [TITLE IX GUIDE](#).

8.1 Student conduct cases that are not resolved through a resolution by agreement will proceed to a formal hearing before the University Conduct Board or an Administrative Hearing Officer. The University Conduct Board or Administrative Hearing Officer is responsible for considering all relevant information, determining facts, responsibility, and sanctions, if appropriate.

8.2 The Respondent(s) will be given written notice of the charges stating: the incident report(s) and any associated evidence; the alleged Student Conduct Code violations; the procedures to be used in resolving the charges; and the date, time, and location of the hearing. Notice will be emailed at least five (5) business days prior to the hearing to the Respondent(s) syr.edu email address. The Respondent(s) will be granted access to the case file for review.

8.3 The order of the formal hearing is typically as follows:

- a. introductions and reading of the complaint/appeal by the hearing chair,
- b. reading of the alleged charges against the Respondent, and the Respondent's response to these charges;
- c. opening statements;

- d. presentation of information/witnesses by the Case Presenter, questioning of participating parties/witnesses through the Hearing Chair/Administrative Hearing Officer;
- e. presentation of information/witnesses by the Respondent, questioning of the Respondent through the Hearing Chair/Administrative Hearing Officer;
- f. closing statement by the Complainant and/or Case Presenter;
- g. closing statement by the Respondent.

8.4. The Respondent(s) and Case Presenter may object to the participation of a Board member due to conflict of interest. Any objection will be decided by the Hearing Chair, or by vote of the majority of the Board if the objection is to the Hearing Chair's participation. If there is an objection to an Administrative Hearing Officer, the objection should be communicated to the Director of Community Standards.

8.5 At the conclusion of the hearing, all parties, including the Case Presenter, are dismissed, and the University Conduct Board/Administrative Hearing Officer begins deliberations regarding responsibility, and if appropriate, sanction(s).

8.6 The University Conduct Board is a three (3) member panel comprised of students, faculty, and/or staff members, or external professionals as determined by Community Standards. The University Conduct Board members receive training each year and are advised by a trained designee of the Director of Community Standards, who may be internal or external to the University.

Administrative Hearing Officers, who may be faculty or staff members or external professionals, are appointed by the Director of Community Standards and receive training on the University Conduct System.

8.7 An audio recording will be made for all formal resolution hearings. Recordings will not include deliberations. The Respondent(s) may request that a written transcript of these recordings be made at the expense of the Respondent(s) (except in cases of disability accommodation) or have access to the recordings by arrangement with the Director of Community Standards. Printed transcripts will be redacted as required by Federal and Student privacy laws prior to being released. Additional recording devices (audio and/or video) of any kind are not permitted for use during formal resolution hearings. Students may take notes during the proceedings.

8.8 If a Respondent(s) or Case Presenter would like to call witnesses regarding the facts of the case, names of potential witnesses and a summary of the facts to which they will testify, must be submitted to Community Standards by the date outlined in the formal hearing notice. Case Presenters and Respondents are limited to five (5) witnesses each for a hearing. If a

Respondent(s) or Case Presenter believes they need the testimony of more than five (5) witnesses, these additional witnesses may submit a written statement. Witness lists will be made available to the Respondent(s) and Case Presenter. Character witnesses are not permitted.

The Hearing Chair/Administrative Hearing Officer will have the discretion to allow or exclude witnesses proposed by either party when the information offered by a witness would be duplicative or irrelevant, or the witness would unnecessarily compromise the confidentiality of the hearing. No witness may be compelled to attend any formal resolution hearing.

8.9 All parties are encouraged to appear at a formal hearing. If a party fails to appear, the hearing may proceed or be rescheduled at the discretion of the University Conduct Board/Hearing Chair/Administrative Hearing Officer. In cases where either party is unable to appear, alternative means for participation may be made available at the discretion of the Director of Community Standards or designee.

8.10 All parties are expected to be respectful of the proceedings and the rights of all individuals involved. It is the responsibility of each party to ensure advisors, witnesses, and other affiliates act in a respectful manner. The Hearing Chair/Administrative Hearing Officer may discontinue the hearing and forward the case for administrative resolution by the Director of Community Standards, or designee, when the behavior of any participant might be detrimental to the outcome of the hearing.

Attendance at hearings is limited to the University Conduct Board/Administrative Hearing Officer and their advisor, the Case Presenter, and the parties immediately involved and their Procedural Advisors. Witnesses are permitted in the hearing solely for their own testimony. Witnesses should not discuss their testimony with any other witnesses who have not yet testified.

Only the University Conduct Board/Administrative Hearing Officer and their advisors are permitted in deliberations.

8.11 At the hearing, parties are expected to provide all relevant information including statements, witnesses, and tangible/physical evidence. Failure to provide relevant information available at the time of the hearing may not later be used as a ground for appeal as outlined in Part 10.

8.12 Relevance of information will be determined at the Hearing. The University Conduct Board/Administrative Hearing Officer may ask relevant questions at any time.



- 8.13 All participating parties and the Case Presenter will have the opportunity to ask relevant questions indirectly of the other participating parties and witness(s) through the Hearing Chair/Administrative Hearing Officer if it is deemed relevant to the matters at issue.
- 8.14 As this is an administrative University process, formal rules of evidence found in legal proceedings do not apply. Any information or statement may be admitted (including hearsay) at the discretion of the Hearing Chair/Administrative Hearing Officer.
- 8.15 After the closing statements, the University Conduct Board/ Administrative Hearing Officer will deliberate on and determine the finding of responsibility for each alleged violation. University Conduct Board decisions on responsibility are made by a majority vote of the Board members using a Preponderance of the Evidence, or “more likely than not” standard.
- 8.16 If a student or organization is found responsible for any violations, the University Conduct Board/Administrative Hearing Officer will consider appropriate sanctions (see Part 9).
- 8.17 Decisions of the University Conduct Board/Administrative Hearing Officer are reviewed and confirmed by the Director of Community Standards, or designee. The Director can, as appropriate, interview any participant in an earlier proceeding, modify the decision, alter the sanction, or return the case to the Board for further process. Following the review and confirmation of the decision, the Respondent will receive written notice of the confirmed decision no later than eight (8) business days after the hearing has concluded. Decisions and sanctions may become effective immediately, except while an appeal is pending, unless otherwise stated by the Director of Community Standards or designee. The timing of any sanctions will be specified in the written notice of the decision.
- 8.18 Respondents may appeal formal resolution hearing decisions using the procedures outlined in Part 10.

## **Part 9. Sanctions for Conduct Cases**

The primary goal of the University Student Conduct System is education. In addition to educational sanctions, the University may issue sanctions that affect a student or student organization’s status at the University. All sanctions are official actions of the University. Failure to comply with sanctions or with specific conditions related to the safety and security of any persons or property while a case is pending may result in further conduct charges.

- 9.1 Sanctions are assigned based on the context and nature of the violations and the status of the Respondent. Specifically, Conduct Officers (Resolution by Agreement) and University Conduct Boards Administrative Hearing Officers (formal hearings) will consider the following:

- a. the extent of harm caused or impact on individuals and the community (living environment, University community, and the surrounding community) including the level of intervention necessary;
- b. the potential for ongoing risk to the student, other individuals, the community, or property, or the potential for ongoing disruption of University operations;
- c. a student's disciplinary record and history of past conduct sanctions, including but not limited to, sanctions in prior similar University conduct cases involving similar or analogous misconduct;
- d. student's intent, remorse, cooperation, and willingness to take responsibility for their actions;
- e. evidence that the student's conduct was motivated by bias regarding an individual or group's real or perceived race, color, creed, religion, political or social affiliation, sex, gender, reproductive health decisions, national origin, citizenship, ethnicity, marital status, age, disability, sexual orientation, gender identity and gender expression, and/or veteran status; and
- f. whether the student or student organization engaged in help-seeking behavior.

9.2 The following sanctions, or any combination thereof, may be applied to any individual student or student organization, for violations of the Student Conduct Code and related University policies:

- a. **Educational:** The primary goal of the University Student Conduct System is education. Respective Boards, Administrative Hearing Officers, and Conduct Officers may design sanctions that are specific to an individual case when it is determined that educational value may result, and the interests of the University community are maintained. Examples of educational sanctions include, but are not limited to, community service, community involvement assignments, decision making assignments, civility workshops, monetary restitution, and research and writing assignments.
- b. **Access Restriction:** Restriction to certain areas/campus facilities and/or events as appropriate, which may include, but not limited to: residential areas, recreational spaces, dining facilities, athletic spaces, or others as deemed necessary based on the Respondent's conduct.
- c. **Residential Warning:** This status is a formal warning on behalf of the residential living program and is intended to clearly document in a student's disciplinary file that the student's behavior is unacceptable. The length of this status will be determined by the Conduct Officer or hearing body/official.

- d. **Residential Probation:** This status indicates a student is no longer in good standing within the University's residential living program. Further violations may result in the immediate loss of eligibility to live in or visit the University's residence and/or dining facilities.
- e. **Residential Relocation/Suspension/Expulsion:** These statuses indicate a student is not eligible to live in or visit some or all the University's residential and/or dining facilities. A residential relocation involves the reassignment of a student's living unit within University housing and usually prohibits the student from returning to the residential area associated with the former living assignment. A residential suspension or expulsion involves the student's removal from University housing altogether. These statuses may extend for a specific period, until the completion of specific conditions, or permanently. These statuses may be limited to a specific facility or applied to all facilities.
- f. **Social Probation:** This status is applied for a breach of specific expectations by a student organization. Its primary effect is to suspend a privilege related to the nature of the offense and/or restrict access to specific campus facilities or programs.
- g. **Conduct Warning:** This status is a formal warning on behalf of the University and is intended to clearly document in a student's or student organization's disciplinary file that their behavior is unacceptable. The length of this status will be determined by the Conduct Officer, or University Conduct Board/Administrative Hearing Officer.
- h. **Conduct Probation:** This action indicates that a student or student organization is at risk of losing matriculation or affiliation with the University unless certain standards are adhered to. The student or student organization is permitted to remain enrolled or retain recognition by the University under stated conditions based on the nature of the violation and the potential learning that may derive from specific restrictive measures. Students on conduct probation may not hold or run for elected or appointed leadership positions including, but not limited to, resident assistants, peer leaders or mentors, orientation leaders, Student Association leaders and leadership positions in recognized clubs and organizations, including professional and social fraternities and sororities. Student organizations, recognized clubs, and fraternities and sororities on conduct probation and found responsible for subsequent violations of the Code may be suspended or lose their recognition. Further violations may result in immediate suspension or expulsion from the University. The length of this status will be determined by the Conduct Officer or hearing body/official.
- i. **Suspension:** This action results in a student's immediate involuntary withdrawal from the University, or for a student organization, the loss of University recognition and

related privileges, for a stated period of time as determined by the University Conduct Board/Administrative Hearing Officer. A suspended student or student organization is prohibited from any presence or activity on University-owned, operated, or controlled property, including but not limited, to University-owned property leased to a non-University affiliated party, and from participation in any class or program offered by Syracuse University. If a student is issued a sanction of suspension after completing all degree requirements, but prior to degree conferral, their degree will not be conferred until the period of suspension is completed.

- j. **Expulsion:** This action results in the permanent separation of the student or student organization from the University, its programs and facilities. It is the most severe disciplinary action the University Student Conduct System can impose. Students expelled prior to degree conferral will not have their degree conferred. An expelled student or student organization is prohibited from any presence or activity on University-owned, operated, or controlled property, including but not limited, to University-owned property leased to a non-University affiliated party, and from participation in any class, program, or event, offered by Syracuse University.

### 9.3 Sanctioning Guidelines

Sanctioning guidelines have been adopted to respond to violations of the Student Conduct Code. Syracuse University is deeply concerned about the extent to which some students engage in underage consumption of alcohol, unlawful use of drugs, and/or consumption of alcohol or other drugs to a degree that renders them in need of emergency medical intervention or other extraordinary assistance. In addition, Syracuse University seeks to deter students from engaging in conduct that poses a risk to the safety and well-being of the individual student and/or the University community. Sanctioning guidelines are intended to alert students and other members of the University community to the seriousness of alcohol- and drug-related behaviors, violence, and safety violations; provide meaningful consequences for violations of University expectations and community standards; and ensure that students are provided opportunities to access education, counseling, and support.

In all cases the appropriate sanction(s) will be determined on a case-by-case basis considering all the relevant circumstances. The presence of substantial mitigating, aggravating, or other appropriate circumstances may result in the reduction or augmentation of sanctioning guidelines.

### 9.4 Sanctioning Guidelines for Substance-Related Violations

CATEGORY	FIRST VIOLATION	SECOND VIOLATION	THIRD VIOLATION

Use, possession, or purchase of alcohol under Prohibited circumstances	Medical Amnesty (refer to Part 12)  Conduct Warning and educational activities including community involvement referral and/or educational project(s)	Conduct Probation and educational activities including:  Options Program referral and Community Involvement referral and/or other educational project(s)	Suspension
Supplying alcohol to underage person(s)	Conduct Probation and educational activities including community involvement referral, community service, and/or educational project(s)	Suspension	Suspension or Expulsion
Extreme alcohol intoxication posing a substantial risk to the health and well-being of self and/or others	Medical Amnesty (refer to Part 12)  Conduct Warning and educational activities including Options Program referral and educational assignments	Conduct Probation and educational activities including Options Program referral, community involvement referral, and/or other educational project(s)  Residential Relocation	Suspension
Manufacture or sale of alcohol under prohibited circumstances	Conduct Probation and educational activities including community involvement referral, community service, and/or educational project(s)	Suspension	Suspension or Expulsion
Driving any motor vehicle while intoxicated or while under the influence of drugs	Conduct Probation and referral to Substance education	Suspension or Expulsion	Expulsion

	Suspension		
Use or possession of marijuana or marijuana paraphernalia	<p>Medical Amnesty (refer to Part 12)</p> <p>Conduct Warning and educational activities including Options Program referral, community involvement referral, community service, and/or other educational project(s)</p>	Conduct Probation and educational activities including Options Program referral, community involvement referral, community service, and/or other educational project(s)	Suspension
Manufacture, sale, purchase, or distribution of marijuana or marijuana paraphernalia	<p>Conduct Probation with educational activities</p> <p>Suspension</p>	Suspension	Expulsion
Use or possession of illegal drugs (other than marijuana) or controlled substances without an appropriate prescription	<p>Conduct Probation and educational activities including Options Program referral, community involvement referral, community service, and/or other educational project(s)</p> <p>Suspension</p>	Suspension	Suspension or Expulsion
Manufacture or sale of alcohol under prohibited circumstances	Conduct Probation and educational activities including community involvement referral, community service, and/or educational project(s)	Suspension	Suspension or Expulsion

Extreme drug intoxication or abuse-related behavior posing a substantial risk to the health and well-being of self and/or others	Conduct Probation and educational activities including Options Program referral, community involvement referral, and/or other educational project(s)  Residential Relocation	Suspension	Suspension of two (2) semesters or greater
Manufacture, sale, purchase with intent to distribute, or distribution of illegal drugs or controlled substances other than marijuana	Suspension or Expulsion	Expulsion	

#### 9.5 Sanctioning Guidelines for Weapons-Related Violations

<b>CATEGORY</b>	<b>SANCTION</b>
Possession of a prohibited weapon or other dangerous object, including but not limited to, firearms, BB-guns, sling shots, airsoft guns, air rifles, explosive devices, fireworks, or any other dangerous, unlawful, or hazardous object or material	Conduct Probation  Expulsion from student housing  Suspension or Expulsion
Any improper use, attempted use, brandishing, or threat of use of a weapon or other dangerous, illegal, or hazardous object; any improper use as a weapon of any otherwise permitted object or material	Suspension or Expulsion

#### 9.6 Sanctioning Guidelines for Violence-Related Violations

<b>CATEGORY</b>	<b>SANCTION</b>
Physical harm or threat of physical harm without a weapon resulting in little or no physical injury to involved persons	Conduct Probation or Suspension



	Participation in the Conflict Resolution Program and the Options Program if alcohol or other drugs were a factor in the incident  Community service and/or other educational sanctions
Physical harm without a weapon resulting in significant physical injury to another person	Suspension or Expulsion
Targeted bullying without physical violence	Conduct Probation or Suspension

#### 9.7. Sanctioning Guidelines for Safety and Fire-Related Violations

<b>CATEGORY</b>	<b>SANCTION</b>
Tampering with smoke detectors in on-campus residential facilities	Conduct Warning, educational projects, and residential probation
Interference with, improper activation of, or damage to any elevator, or safety or emergency equipment, including, but not limited to: fire alarms, fire extinguishers, sprinkler systems, and blue lights; lighting any unauthorized fire on University property	Conduct Probation with appropriate educational sanctions or Suspension

#### 9.8. Sanctioning Guidelines for Gender-Related Violence/Harassment

<b>CATEGORY</b>	<b>SANCTION</b>
Sexual harassment including unwanted sexual advances, requests for sexual favors and some visual and physical conduct of a sexual nature; stalking without threats of violence	Conduct Probation with appropriate educational requirements  Suspension
Sexual assault, including, but not limited to sexual touching without consent, forcible touching; stalking with threats of harm; use of physical violence in a dating or sexual relationship	Suspension  Expulsion
Sexual intercourse without affirmative consent	Suspension of two (2) semesters or greater  Expulsion
Retaliation against an individual who has filed a report of gender-related violence/harassment	Conduct Probation with appropriate educational requirements

	Suspension
	Expulsion

#### 9.9. Sanctioning Guidelines for Bias-Related Violations

<b>CATEGORY</b>	<b>SANCTION</b>
Evidence that the student's conduct violation was motivated by bias regarding a targeted individual or group's real or perceived race, color, creed, religion, sex, gender, reproductive health decisions, national origin, citizenship, ethnicity, marital status, age, disability, sexual orientation, gender identity and gender expression, and/or veteran status.	Enhanced sanction may include:  Conduct Probation  Suspension
Evidence that a student's conduct was motivated by bias and materially threatened the health or safety of a targeted individual or group.	Enhanced sanction may include:  Suspension  Expulsion

#### 9.10. Sanctioning Guidelines for Hazing-Related Violations

<b>CATEGORY</b>	<b>SANCTION</b>
Participation in, promotion of, or perpetuation of hazing.	Suspension  Expulsion
Knowledge of hazing and failing to report or intervene in a situation that threatens the health and safety of another individual.	Suspension  Expulsion

#### 9.11. Sanctioning Guidelines for Student Leaders

<b>CATEGORY</b>	<b>SANCTION</b>
For student leaders, failure to intervene or notify the University when the student leader knows of a situation that threatens the health and safety of another individual or the campus community.	Conduct Probation and educational sanctions
For student leaders, participating and/or assisting in a situation that threatens the health and safety of another individual or the campus community.	Conduct Probation and educational sanctions  Suspension

### 9.12. Sanctioning Guidelines for perpetuating an unrecognized organization

CATEGORY	SANCTION
Participation in, or promotion of a student organization that has lost University recognition on a temporary or permanent basis.	Suspension

## Part 10. Appeals

NOTE: FOR CASES INVOLVING SEXUAL ASSAULT, STALKING, GENDER-RELATED HARASSMENT, DATING OR DOMESTIC VIOLENCE, OR OTHER PROHIBITED CONDUCT AS DEFINED IN THE SEXUAL HARASSMENT, ABUSE, AND ASSAULT PREVENTION POLICY, SEE [TITLE IX GUIDE](#).

- 10.1. Decisions of the University Conduct Board or Administrative Hearing Officer are effective immediately, unless a written notice of intention to appeal has been received by Community Standards within two (2) business days after the decision is made available.
- 10.2. Appeals must be based on one or more of the following:
  - a. New information directly relevant to the conduct case that was not reasonably available at the time of the original hearing.
  - b. Procedural error that can be shown to have had a detrimental impact on the outcome of the hearing.
  - c. Grossly inappropriate sanction having no reasonable relationship to the charges.
- 10.3. The Respondent may appeal the decision of the University Conduct Board or Administrative Hearing Officer in writing within five (5) business days after the written decision is made available. Extensions for appeals may be requested of the Director of Community Standards in the event there are extenuating circumstances. All appeals must be authored and submitted by the Respondent. Appeal submissions must not be more than two (2) pages per ground for appeal.

Appeals submitted to Community Standards will be reviewed by the Associate Vice President and Dean of Students, or designee, to determine if the party's narrative supports the selected ground(s) for appeal listed in Part 10.2. If the appeal is timely and contains sufficient information, it will be forwarded to the University Appeals Board within five (5) business days. If the appeal is late or does not contain sufficient information, it will be dismissed and will not be

reviewed by the University Appeals Board. A student will be promptly notified of the dismissal of an appeal.

- 10.4. The University Appeals Board is comprised of three (3) members who may be students, faculty, staff, or external professionals, as determined by Community Standards. The University Appeals Board has authority to hear appeals of decisions from any non-academic Conduct Board, as well as any Administrative Hearing Officer described in these procedures. The University Appeals Board is advised by the Director of Community Standards if the director has not been involved in the original hearing, or by a designee.
- 10.5. The University Appeals Board may affirm the decision, modify the decision, reduce the sanction, or return the case to a University Conduct Board/Administrative Hearing Officer for further process. If the University Appeals Board believes the sanction imposed is insufficient in light of the misconduct at issue in the case, it shall return the case to the University Conduct Board/Administrative Hearing Officer for reconsideration of sanction(s).
- 10.6. The University Appeals Board will make a decision based on the written submissions within five (5) business days of the University Appeals Board meeting to review the appeal.
- 10.7. Decisions of the University Appeals Board will be final when reviewed and confirmed by the Senior Vice President and Chief Student Experience Officer (SVP), or designee. The SVP, or designee, may interview any participant in an earlier proceeding, modify the decision, alter the sanctions imposed, or return the case to the University Appeals Board or another hearing Board for further process. Decisions of the SVP, or designee, are final and no further University review is permitted. Review and confirmation by the SVP, or designee, will be made within five (5) business days after the decision of the University Appeals Board is communicated.

## **Part 11. Modification of Procedures**

- 11.1. Syracuse University reserves the right to modify its conduct procedures and appeals processes with written notice to the Complainant and the Respondent in circumstances where, in the University's sole discretion, the procedures described herein are insufficient to meet the objectives of educating and protecting members of the University. This includes, without limitation, when classes are not in session, while any involved individual is studying abroad, during winter or summer breaks, when safety and security so demand, or when special expertise is needed to ensure a well-reasoned decision. Modified procedures will provide students with required elements of fundamental fairness.

## **Part 12. Medical Amnesty Policy - Alcohol and Other Drugs**

- 12.1. Syracuse University encourages all community members to care for themselves and others. Therefore, when a student(s) or student organization initiates help from a campus or community resource for medical assistance related to alcohol and other drugs, the health and safety of the student at risk will be the University's priority.

- 12.2. The student receiving medical assistance, and the student(s) or student organization who called for help, will not be referred to Community Standards for alleged violations of alcohol and other drug policies if the following apply:
1. The students involved cooperate with staff and first responders by providing honest and complete answers to their questions; and
  2. The students involved meet with a member of Student Outreach and Support for a follow-up non-disciplinary (educational) meeting. Student Outreach and Support will reach out to students involved to set up a time to meet.
- 12.3. Failure to meet the two (2) requirements above may result in a referral to Community Standards.
- 12.4. A student receiving medical assistance, and the student(s) or student organization who initiates help, are eligible to use the Medical Amnesty Policy - Alcohol and Other Drugs on more than one occasion. However, repeated use of the policy may be a cause of higher concern for an individual's well-being. Students involved in repeated use of this policy may be referred to the Barnes Center at the Arch for evaluation or Community Standards for possible conduct violations depending upon the relevant circumstances, after evaluation and assessment by the Associate Vice President and Dean of Students.
- 12.5. The Medical Amnesty Policy - Alcohol and Other Drugs only extends to situations in which medical assistance is sought and does not provide relief from referral to Community Standards for other possible violations of the Student Conduct Code.
- 12.6. For information on amnesty related to reports of sexual assault, sexual harassment, stalking or dating/domestic violence see [Amnesty for Reporting Students](#) in the Sexual Harassment, Abuse, and Prevention Policy.

### **Part 13. Disciplinary Records, Transcript Notations, and Expungement**

- 13.1. A student's request to access and inspect their disciplinary records maintained by Syracuse University is handled in accordance with the Federal Family Educational Rights and Privacy Act.

Syracuse University will notify parents or guardians of conduct issues involving minor (non-adult) students.

Except in unusual circumstances, Syracuse University will notify parents or guardians of conduct issues involving tax dependent students as follows:

- a. In an emergency;

- b. After assignment of educational interventions, for a case involving amnesty for help-seeking behavior;
  - c. After final outcome and finding of responsibility in all alcohol and drug-related violations; and
  - d. After final outcome and finding of responsibility in all violations resulting in conduct probation, suspension or expulsion.
- 13.2. Disciplinary records are retained for seven (7) years from the date of the student's most recent violation or until one (1) year after the student has graduated from the University, whichever is longer. Records of students suspended, expelled, prohibited from future enrollment, or otherwise withdrawn for disciplinary reasons are retained indefinitely. Records retention policies for academic dishonesty cases may vary and are maintained by the Center for Learning and Academic Student Success.
- 13.3. Students found to be responsible for non-violent conduct violations who are suspended or expelled will have the following notation listed on their transcript: "Administrative Withdrawal - University Initiated." Students found responsible for violence-related conduct (as defined by the Clery Act) who are suspended or expelled will have their University transcripts issued with the following notations:
  - a. In cases of suspension - "Suspended after a finding of responsibility for a Student Conduct Code violation."
  - b. In cases of expulsion - "Expelled after a finding of responsibility for Student Conduct Code violation."
  - c. If a student alleged to have been involved in an incident that could carry a sanction or suspension or expulsion, withdraws from the University with an investigation or conduct case pending, the following notation will be listed on their University transcript: "Withdrew with Conduct Charges Pending."

Suspended students may appeal the notation on their transcript to the Director of Community Standards and they must meet all criteria outlined in Part 13.4. Notations for violations related to the University's Sexual Assault, Stalking, Gender-Related Harassment, Dating or Domestic Violence, and/or Sexual Harassment, Abuse, and Assault Prevention policies and those for expulsion will not be removed.

- 13.4. Students may appeal a suspension notation on their transcript under the following conditions:
  - a. Appeals submitted prior to one (1) year after the completion of the suspension will not be considered.
  - b. If a student is responsible for any additional conduct related incidents which took place after the start of the suspension, appeals will not be considered.
  - c. In order to appeal a suspension notation on a University transcript, all readmission or other sanction requirements must be completed at the time of the request.
  - d. Requests for removal of a suspension notation should be submitted in writing to Community Standards, 804 University Ave., Suite 106, Syracuse, NY 13244 or via email at [studentconduct@syr.edu](mailto:studentconduct@syr.edu). Submissions should contain the following:

- A brief description of the incident and the sanction imposed.
  - Reflections on the student's actions, how they have impacted the student as well as others.
  - An account of the student's decision-making and behavior since the incident.
  - An explanation as to why the student believes the transcript notation indicating suspension should be removed from their transcript.
  - Any optional supporting material (letters of recommendation, verification of community service and/or employment).
- e. All requests will be responded to in writing. If the request is granted, the suspension notation will be removed. An "Administrative Withdrawal - University Initiated" date will remain on a transcript to reflect a student's time away from the University. If the request is denied, the student may appeal to the Associate Vice President and Dean of Students whose decision shall be final.

### 13.5 Expungement Policy:

A student found responsible for violating University policy may request expungement from the Director of Community Standards, or designee.

A student may initiate the request by completing the Request for Expungement Form with Community Standards.

A student is eligible to request expungement if:

- a. The student has completed all assigned sanctions by the assigned deadlines; and
- b. The student is in good standing with the University; and
- c. The student has remained free of any Conduct Code violations for two (2) consecutive academic semesters since the violation at issue.

A student whose violation occurs the semester in which they graduate may apply for expungement if they have met all other requirements and can demonstrate they are applying to professional or graduate school.

Expungement will not be granted for:

- Records of expulsion
- Incidents involving violations determined to be motivated by bias
- Academic Integrity violations
- Incidents involving hazing
- Incidents involving sale or distribution of drugs/controlled substances
- Incidents causing significant damage to property
- Incidents causing significant injury
- Incidents involving violations of the University's Sexual Assault, Stalking, Gender-Related Harassment, Dating or Domestic Violence, and/or Sexual Harassment, Abuse, and Assault Prevention policies.



All requests are subject to approval by the Director of Community Standards or designee. Expungement requests that are denied may be appealed to the Associate Vice President and Dean of Students or designee, whose decision shall be final.

#### **Part 14. Student Record Holds**

- 14.1. The University reserves the right to place a hold on a Respondent student's academic records until an investigation and subsequent conduct case (if any) is resolved. The hold may prevent the student from registering for classes, obtaining a copy of their academic transcript, or conferral of their degree.

A student who attempts to withdraw from the University rather than participate in the conduct process may be classified as having been withdrawn for disciplinary reasons. This status will be noted on the student's transcript as "Withdrew with Conduct Charges Pending." A student who withdraws under these circumstances is not permitted to enter onto Syracuse University-owned, operated, or controlled property, including but not limited to, University-owned land leased to a non-University affiliated party, and may not participate in any course or program offered by Syracuse University until the pending matter is resolved.

#### **Part 15. Degree Holds**

- 15.1. In order to obtain a Syracuse University degree (undergraduate or graduate), students must be in good standing with the University. That includes a requirement that all matters pending before the University Student Conduct System have been fully and finally resolved including full satisfaction of any sanctions imposed. Students who are not in good standing will not be granted a degree, will not have access to transcripts, and are not eligible to participate in graduation ceremonies.

#### **Part 16. Involuntary Leaves of Absence**

- 16.1. Syracuse University reserves the right to place students on involuntary leaves of absence, consistent with the University's policies governing leaves of absence.

## SYRACUSE UNIVERSITY NON-DISCRIMINATION AND EQUAL OPPORTUNITY STATEMENT

The University does not discriminate and prohibits harassment or discrimination related to any protected category including creed, ethnicity, citizenship, sexual orientation, national origin, sex, gender, pregnancy, disability, marital status, political or social affiliation, age, race, color, veteran status, military status, religion, sexual orientation, domestic violence status, genetic information, gender identity, gender expression or perceived gender<sup>2</sup>.

Complaints of discrimination or harassment related to any of these protected bases involving faculty or staff should be reported to the University's Chief Equal Opportunity & Title IX Officer (also the designated Title IX Coordinator for Faculty/Staff), who is responsible for coordinating compliance efforts under the various laws including Titles VI, VII, IX and Section 504 of the Rehabilitation Act. Contact Equal Opportunity, Inclusion, and Resolution Services, at 621 Skytop Road, Syracuse, NY 13244; or by email: [equalopp@syr.edu](mailto:equalopp@syr.edu); or by telephone: 315-443-1520.

Reports of discrimination or harassment involving students should be reported to the Director/Coordinator of Student Title IX Case Management (also the designated Title IX Coordinator for Students), who is located in 005 Steele Hall, Syracuse, NY 13244-2130, or by email at [titleix@syr.edu](mailto:titleix@syr.edu); or by telephone at 315-443-0211.

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Community Standards  
804 University Avenue  
Suite 106  
Syracuse, NY 13244  
315.443.3728

[studentconduct.syr.edu](http://studentconduct.syr.edu)  
[studentconduct@syr.edu](mailto:studentconduct@syr.edu)

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<sup>2</sup> Title IX prohibits harassment or discrimination based on sex, gender, sexual orientation, gender expression, or gender identity. Titles VI and VII prohibit harassment or discrimination based on race, national origin, or color. Sections 503 and 504 of the federal Rehabilitation Act and the Americans with Disabilities Act prohibit discrimination or harassment because of disability. In addition, New York law prohibits discrimination or harassment based on these and other protected categories.