

Section:	XI.3.4	
Title:	Expectations and Standards for Off-Campus Conduct	
Effective Date:	July 10, 2019	
Approved By:	Assistant Vice President for Student Affairs	
Responsible Unit:	Office of Student Conduct & Off-Campus Services	
Related Documents:	<ul style="list-style-type: none"> • Student Conduct Code • Appendices A, B, C, D, E 	
History:		
<u>Version</u>	<u>Date</u>	<u>Notes</u>
3.0	July 24, 2019	Updates from Interim Student Conduct Code approved by the Board of Trustees
2.0	August 1, 2014	Replaces Off Campus Behavior Policy (2002)
1.0	July 1, 2002	New Policy; Initial Release

I. INTRODUCTION

This document serves as a summary of the expectations for student conduct off campus and encompassed in the [Student Conduct Code](#).

II. POLICY

The College of New Jersey is located within a suburban environment adjacent to multiple residential neighborhoods in Ewing Township. Therefore, the [Student Conduct Code](#) establishes expectations and standards with regard to the conduct of students both living and visiting others in surrounding neighborhoods. Students are expected to engage in responsible social conduct that reflects credit upon the College community both on and off campus, and is consistent with a safe and healthy environment. Furthermore, any violation of township, state or federal law will also be considered a Violation of Expectations for Student Conduct. If a student is charged with violating a township ordinance or state or federal law, generally the College will not request leniency from law enforcement or a prosecuting party on a student's behalf, nor advocate for civil or criminal action against a student. The primary method for addressing student conduct

remains within the purview of the Dean of Students Office by the procedural standards outlined in the *Student Conduct Code*.

III. VIOLATIONS OF EXPECTATIONS FOR STUDENT CONDUCT

Although the expectations set forth in the *Student Conduct Code* apply to all students whether on or off campus, and any Violation(s) of Expectations for Student Conduct will be addressed through the student conduct process regardless of where the violation occurs; there are a number of stated violations in the *Student Conduct Code* that expressly include off-campus behavior:

1. Law and Policy Compliance

- b. Violation of any federal, state or local law. (See Appendix A and Appendix B for non-exhaustive lists of selected state statutes and township ordinances and Appendix C for an excerpt of the State of New Jersey “Anti-Bullying Bill of Rights Act.”)

6. Drugs, Narcotics, Controlled Substances, and/or Paraphernalia

- e. Disrupting the campus or off-campus community or engaging in any Policy violation while under the influence of a Drug, Controlled Substances, or Narcotic.

7. Alcoholic Beverages

- a. Being in possession of, attempting to purchase, purchasing, or consuming alcoholic beverages on or off campus while under the age of 21.
- d. Consuming alcoholic beverages or carrying alcohol in open containers in any public area without the receipt of an alcohol permit, regardless of age.
- e. Hosting the underage consumption of alcohol in a social space, residence hall room, common area, or off-campus space that is occupied by, under the control of, or reserved for the use of a Student or organization.
- h. Disrupting the campus or off-campus community or engaging in any Policy violation while a Student is intoxicated.

11. Disruption/Obstruction

- a. Disruption to, or obstruction of teaching, research, administrative, disciplinary proceedings, or other College activities or normal operations including its public service functions on or off campus.
- c. Behavior that disturbs the peace, academic study, or sleep of others on or off campus.

Examples of such conduct include, but are not limited to underage alcohol possession or consumption, public intoxication, noise violations, public urination, and harassment of others.

The College’s highest priority is the physical and mental health, safety, and well-being of individual Students and the campus community. Therefore, no Student

seeking medical attention by contacting either College or local authorities for a Drug overdose (nor a Student who seeks medical attention on behalf of the affected Student) and cooperates with and/or assists any medical, College, or law enforcement officials will be formally charged under the Student Conduct Code for the unlawful use or possession of a Drug. Although this does not relieve any Student or organization from responsibility for other Policy violations that may have occurred prior to seeking medical attention, the effort to seek help for the affected Student may be a mitigating factor in sanctioning. Affected Students may be required to complete an evaluation or other education programs, but will not face disciplinary charges or sanctions as prescribed through the student conduct process.

Although New Jersey state law permits the use of medical marijuana within narrowly tailored circumstances, federal laws prohibit marijuana use, possession, and/or cultivation at educational institutions and on the premises of other recipients of federal funds. The use, possession, or cultivation of marijuana for medical purposes is therefore not allowed on any College property, nor is it allowed at any College -sponsored event or activity off campus.

IV. PROCEDURAL STANDARDS FOR ANY VIOLATION(S) OCCURRING OFF-CAMPUS

The *Student Conduct Code* includes a comprehensive section on the *Procedural Standards* that guide the student conduct process. The following are selected portions from, and/or clarification of the *Procedural Standards* section that may aid both students living and socializing off-campus, and community members understand the student conduct process.

- A. Any member of the College community may file a report against a student for possible violations of the *Student Conduct Code*, including a representative from the Office of Student Conduct & Off-Campus Services (hereafter Office of Student Conduct) on behalf of a person outside the College community if the incident has an adverse effect on the College and there is documentation from a verifiable source. A complaint must be prepared in writing and submitted to the Director of Student Conduct. Any complaint should be submitted as soon as possible after the incident takes place, preferably within 30 days. However, the Director of Student Conduct has discretion to accept or issue a complaint and issue charges against a student regardless of when the complaint is submitted if the conduct poses a possible threat to the College community or to individual members of the College community.

Any student or community member may submit concerns by filling out an incident report form located on the College website at <http://conduct.tcnj.edu/>. Every report is reviewed by the Office of Student Conduct for possible administrative action or referral to the appropriate resolution process. Anonymous reports may limit the

College's ability to respond effectively and appropriately.

Please note that Ewing Township Police Reports involving TCNJ students are periodically submitted to the Office of Student Conduct for action.

- B. Adjudication. As described in the *Student Conduct Code*, the College has established multiple methods and proceedings to address student behavior including issuing formal admonishments, mediation, informal and formal hearings. The Office of Student Conduct will determine which method or proceeding is appropriate to address the reported behavior. The Reporter may be invited to participate in a proceeding or asked to provide additional information or clarification. Disciplinary records of students maintained at the College are protected by federal privacy laws, therefore the College is not able to disclose the outcome of any proceeding without the permission of the student or unless an exception applies as outlined in the *Student Conduct Code*.

Please be aware that students may also be subject to criminal charges or township citations for any violation(s). Any legal proceeding occurring with the township, county or state is separate from any administrative process taking place with the College through the student conduct process.

V. POSSIBLE SANCTIONS

The College employs progressive sanctioning practices, meaning that repeated behavior results in more severe sanctions. While the College does not employ "prescribed sanctions" for specific violations, the College assigns sanctions proportional to a violation, on a case by case basis taking into account any aggravating or mitigating circumstances and the individual student's disciplinary history if applicable.

The following sanctions, alone or in any combination, may be imposed upon any Student found to have violated the *Student Conduct Code*. See also [Appendix E](#) for specific sanctioning procedures for selected violations.

1. Status Outcomes.

- a. **Warning.** A notice in writing to the Student that the Student is violating or has violated institutional regulations and that further violations may result in more severe disciplinary action.
 - b. **Probation.** This status serves as a disciplinary status assigned to a Student for a specified period of time. While on this status, any further violations of College Policy will result in more severe disciplinary action and may result in additional Administrative Directive Outcomes and/or Suspension. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct for five years
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after a Student separates from the College.

- c. **Pending suspension.** This status serves as the disciplinary probation status assigned to a Student for a specified period of time before that person is suspended from the College. While on this status, any further violations of College Policy may result in suspension from the College. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct for five years after a Student separates from the College.
- d. **Suspension.** Termination of course registration and residency (if applicable) from the College after a specific date and for a specified time. Through the duration of the suspension, the Student may be restricted from College property and may be required to provide prior notice and receive approval from the Director of Student Conduct for the purpose of conducting College business. Before a Student may be readmitted to the College after the designated period of time, that person must meet with the Dean of Students to show satisfactory completion of any assigned directives or to discuss stipulated conditions for his or her return. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct indefinitely. Should a Student wish to return to the College after the suspension period, that person must comply with any academic standards and procedures then in effect
- e. **Expulsion.** Permanent dismissal from the College and restriction from College property. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct indefinitely. Expulsion is the most serious disciplinary action taken by the College and is generally reserved for only those cases of behavioral misconduct in which all the relevant facts and aggravating circumstances support a conclusion that the only reasonable sanction is permanent removal from the College.
- f. **Degree revocation.** Permanent revocation of an earned degree from the College and restriction from College property. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct indefinitely. Degree revocation is reserved for only those case of behavioral misconduct that occur while an individual is a Student, but is not made known to the College until after a degree is earned, and in which all the relevant facts and aggravating circumstances support a conclusion that the only reasonable sanction is permanent revocation of an earned degree from the College.

2. Educational Outcomes.

- a. **Restorative practices.** Participation in a discussion by trained facilitators with any persons or departments harmed and development of a shared
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agreement of how to correct the harm. Unlike other sanctions, all participants must voluntarily agree to participate in the restorative process. Restorative practices will not be available to Students Responding to or being found responsible for any physical sexual misconduct.

- b. **Mediation.** Participation in a mediated discussion with other disputants facilitated by multi-partial, trained mediators with the hope of developing a negotiated agreement serving as resolution to the dispute. Unlike other sanctions, all participants must voluntarily agree to participate in mediation. Mediation will not be available to Students Responding to or being found responsible for any physical sexual misconduct.
- c. **Master education plan.** Develop a master education plan with the aid of the Director of Student Conduct and mentor committee, agree to the terms of the plan, and to continuous evaluation.
- d. **Other discretionary sanctions.** Work assignments, essays, presentations, research projects, conduct contracts, service to the College, or other discretionary assignments.

3. **Administrative Directive Outcomes.**

- a. **Administrative relocation of housing.** Administrative transfer of a Student from one campus housing location to another.
 - b. **Pending termination of housing.** This status serves as a housing probationary status assigned to a Student for a specified period of time before their housing privileges are terminated. While on this status, any further violations of College Policy may result in termination of housing. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct for five years after a Student separates from the College.
 - c. **Termination of housing.** Removal of a Student from College housing after a specific date and for a specified period of time. Through the duration of the termination, the Student may be restricted from entering all residential floors in College buildings. Students who are removed from College housing for disciplinary reasons will receive the refund available based on the time of the semester according to the Department of Residential Education and Housing policies and the housing contract. In addition, this status constitutes a disciplinary record that will remain on file with the Office of Student Conduct for five years after a Student separates from the College.
 - d. **Loss of privilege.** Denial of any specified privilege for a designated period of time. Examples include but are not limited to: guest
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privileges, restriction from a College event or program, and/or area or building.

- e. **Restitution.** Compensation for loss, damage, or injury to College property. This may take the form of appropriate service and/or monetary or material replacement.
 - f. **Parental notification.** Notification may be sent to parents or guardians of a Student who is under 18 years of age, or financially dependent on their parents or guardians, depending on the circumstances surrounding the incident. Parents or guardians may also be notified of alcohol and other Drug incidents for Students under 21 years of age, regardless of financial dependency or resulting sanction.
 - g. **No contact directive/extension of existing no contact directive.** This may include a new directive (as described above), or an extension of an original directive with or without altered or additional parameters or instructions. Sanctioned no contact directives may only be removed prior to their scheduled expiration (if any) at the discretion of the Director of Student Conduct, and at the written request of all involved persons.
 - h. **Behavioral plan.** This is a directive to the Student from the Office of Student Conduct and/or in consultation with another appropriate office (including but not limited to Dean of Students Office, Title IX Office, or Division of Academic Affairs) which outlines expected behaviors to aid in a Student's success.
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