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The members of the Montclair State University community recognize that the development of responsible student behavior and conduct is fostered by example, counseling, guidance, admonition, and adherence to University policies and regulations. An academic institution can and should hold a student accountable for violating institutional policies and rules, particularly when the student's conduct interferes with the safety or rights of other members of the institutional community.

Montclair State University is committed to the overall educational and personal growth of its students. In order to facilitate this growth most effectively, it is essential to maintain an appropriate environment.

Thus, the University encourages the cooperation of all members of the campus community, both in and out of the classroom and through online communities. To that end, the University establishes this set of policies, standards of behavior, regulations, procedures, sanctions and appeal processes. It is intended to prevent, limit and correct actions that may impede, obstruct or damage the educational environment, and threaten the maintenance of order. All students are expected to make themselves familiar with this code. Unfamiliarity with the code is not grounds for failing to live up to the expectations set forth within the code.

While it is the goal of the disciplinary process to educate students as to the purpose and importance of abiding by the prescribed code of conduct, the University may also issue sanctions as are appropriate and necessary to ensure continued and/or future adherence to this code.

This document and supporting materials have been developed to guarantee procedural fairness to students when there has been an alleged failure to abide by Montclair State's policies and regulations. Procedures may vary in formality given the gravity and nature of the offense and the sanctions that may be applied. Terms and prohibited conduct not specifically defined here will be defined with reference to New Jersey Statutes.

Montclair State University is committed to equal student access to all campus benefits and services without regard to race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression, or any other characteristic protected from discrimination by the New Jersey Law Against Discrimination (N.J.S.A. 10:5-4). In order to foster an atmosphere of respect, understanding, and goodwill among all members of our diverse campus community, the University will regard differences of race, creed, color, national origin, ancestry, age, marital status, affectional or sexual orientation, familial status, disability, nationality, sex, gender identity or expression, or any other characteristic protected from discrimination by the New Jersey Law Against Discrimination, N.J.S.A. 10:5-4 as strengths to be honored, not mocked or derided. Thus, the University encourages all members of the community to behave in ways that enhance our diverse, multi-ethnic, and multi-cultural society.



A general principle in all matters of student discipline will be that the University may base its determinations on a preponderance of the information. A finding is more likely than not or a balance of probabilities based upon the facts presented. In cases of misconduct where a final sanction may be assessed, or in which a student so requests, the student will be informed in writing of the allegations and charges, will be given an opportunity to refute them, and will be afforded an avenue to appeal an adverse decision.

This code of student conduct applies to incidents that occur on the University's Campus, at any University-related facility, at any University event, between University students who utilize computers or other equipment located on the University campus or at University-related facilities. It also applies to incidents that occur at all athletic, academic, and social events sponsored by any University-related organization, whether on or off-campus.

The standards of the University will apply to students who participate in study abroad programs, as the University maintain authority during this time. Further, off-campus misconduct may be subject to the authority of the University and addressed through its conduct procedures if a student engages in prohibited conduct under such circumstances that reasonable grounds exist for believing that their

a member of the University community who alleges that they have suffered personal harm or injury, as a result of an alleged violation(s) of this Code.

any University Administrator who is charged with hearing and determining student appeals from a University Panel Hearing or a University Administrative Hearing based on reviewable criteria. In cases involving Harassment, the appeal will be heard by an Appeal Panel.

or "crimes of violence". New legislation or conduct interpretation may result in changes to privacy and disclosure regulations. If such changes occur over the course of the academic year, students who are currently involved in the discipline process will be so advised in writing, as appropriate and necessary

I) Students may be accountable to both external authorities and to the University for acts that constitute violations of law and this Code. University Conduct proceedings will continue normally regardless of pending administrative, civil or criminal proceedings arising out of the same or other events, and will not be delayed or subject to challenge and/or appeal on the ground that criminal charges involving the same incident have been dismissed; reduced; or are pending.

J) The University Panel Hearing may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Accused Student, and/or other witnesses during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of the University Director of Student Conduct or designee to be appropriate.

K) The University will disclose to alleged victims of violent crimes, and sex offenses, or to the next of kin if they have died, the final results of any disciplinary proceedings against alleged student perpetrators of such crimes

L) The respondent or complainant's withdrawal from the University does not terminate the disciplinary proceeding except when the principal or sole basis for the charges is appropriate under the circumstances for campus security, and the principal or sole basis for the charges is appropriate under the circumstances for campus security, and the principal or sole basis for the charges is appropriate under the circumstances for campus security, and the principal or sole basis for the charges is appropriate under the circumstances for campus security. Any student(s) who withdraws from charges. Any ssritca

This sanction informs the student that a subsequent violation of the Code of Student Conduct will result in revocation of certain University privileges and a serious review of their status as a student at the University. Students on probation may be prohibited from being members of a recognized or registered student organization, participating in the activities of such organizations, serving as a representative of the University, or participating in intramural, club, or intercollegiate sports. Students on probation may be required to relocate to a different residence hall or campus housing assignment. Students on probation may also be r

Students may have campus residence (residence halls and campus apartments), campus driving, or parking privileges limited or revoked and be subject to the status of Persona Non Grata; Any student who is removed from residential housing will have a maximum of three (3) business days of electronic delivery of notice to vacate their assignment. Further, students need to vacate residential housing in twenty-four (24) hours of electronic delivery of notice if an appeal is denied for a residential suspension/expulsion outcome.

Students may be required to complete community restitution projects and/or educational assignments;

Students may be required to ma

A student may receive more than one stipulation for a single violation/outcome. Students who are found responsible for Code of Student Conduct violations may, at the discretion of the conduct officer or hearing panel adjudicating the case, be offered the opportunity to engage in substantive educational and reflective activities and, after the satisfactory completion of the specified educational and reflective activities, may have certain appropriate privileges restored.

After all the term(s) of the suspension have been fulfilled, a student may request that the Disciplinary Suspension notation be removed from the student's official transcript.

1. Re-enrolled at the University upon the completion of their suspension;
2. Remain in good disciplinary and academic standing;
3. Complete the requirements for graduation.

Upon applying for the final degree audit, a student may submit a request, electronically, to the Office of Student Conduct.

1. Must outline the reasons for removal of the notation.
2. Provide information on how the student has grown from the incident and document their activities since returning to the University.
3. Request will be submitted in a Microsoft Word document and will be no more than three pages.

Upon receipt and initial review, the Office of Student Conduct will forward the request to the Vice President of Student Development and Campus Life.

Upon receipt of the request, the Vice President of Student Development and Campus Life will confer with the Dean of Students or designee to review the request and consider approval or denial.

1. The conduct of the student upon their return to the University to the time of the request;
2. The academic attainment of the student;
3. The conduct of the student subsequent to the violation;
4. The nature of the violation will 1Q

The decision to remove the notation shall rest in the discretion and judgment of the Vice President of Student Development and Campus Life or designee. The Office of Student Conduct will notify the student of the decision. All reviews are final and not subject to challenge.

No adjustments of tuition, fee, room or board charges will be provided to any student who has been found responsible for violating the University Code of Student Conduct and placed on probation, suspended or expelled from the University or from a residence hall or campus apartment. This provision holds regardless of normal tuition adjustment periods.

e) a student violates a domestic violence restraining order that is entered by a Court and obtained against another student; or

f) Sexual Assault or Sexual Harassment as defined by the Title IX Sexual Harassment/Sexual Assault Policies and Procedures that occurs outside of the United States.

g) involves any attempt of blackmail (i.e. threat to reveal damaging or revealing information, such as photos and/or videos) or extortion (i.e. threats of physical harm) directed toward a student

A student will be found responsible for discriminatory harassment, intimidation or bullying who engages in Harassment conduct described above as "har

Students are prohibited from forcible or unauthorized entry into any Univ

policy. Students are accountable for their residential space and beha

Only artificial trees, wreaths, branches, etc., are permitted in the residence halls or apartments by order of the State Fire Marshall. Decorations must be nontoxic, fire retardant, and must not interfere with easy exiting, use of fire safety equipment or safety signs, and may not cover more than 60% of any wall space. Holiday lights are permitted as long as they are not daisy chained/connected to one another. All decorations must be removed before you leave for holiday vacation.

Office of Residence Life

A guest is defined as anyone who is not assigned a residential space within the apartment/r

noise control, hygiene and care of their approved support/service pet so that it is not disruptive to the educational pursuits of the community. Students also must be in full compliance with the Residence Life S/SA policy guidelines.

The University requires students to abide by numerous security regulations and other protective measures in order to ensure safe living and learning environments for all students, as well as the faculty, administrators, and staff who use campus facilities. Students are prohibited from threatening to and/or bringing any incendiary device to campus, to University-related premises, or to University-related events, including academic, athletic, and social events held away from campus. This includes, but is not limited to the following:

1. Unauthorized use, possession, storage, knowledge, or failure to report ° reworks, explosives or other incendiary device of any description, but not limited to: ° recracker; M-80s; bottle rockets; ammunition; gasoline; kerosene; propane; paint thinner; and similar items.
2. Causing or creating a ° re.
3. Tampering with safety measures or devices, such as alarm systems, ° re extinguishers, Automated External De° brillators (AED), exit signs, emergency phone systems, smoke or heat detectors, ° re hoses, security systems, locked exterior doors, sprinkler systems (i.e. students are not allowed to hang/suspend any object from sprinkler heads).
4. Failing to conform to safety regulations
 - (a) False report of a bomb, ° re or other emergency in any building, structure or facility on campus or in any University-related premises by means of activating a ° re alarm or in any other manner.
 - (b) Failure to evacuate facilities in a timely fashion in emergency situations or in response to ° re alarms.
 - (c) Inappropriate use of the ° re alarm system.

Residential Facilities: In addition to the aforementioned standards, the following are prohibited items within all residential facilities: candles; incense; halogen lamps; torchiere lamps; lava lamps; multi-arm "octopus" lamps.

The University implemented a phased Tobacco Free Campus Policy in spring 2017 due to documented health risks associated with tobacco products, both for the individual user and those affected by secondhand smoke. Accordingly, the University is fully smoke-free, tobacco-free and vapor-free on September 1, 2020 to sustain a healthy campus environment. Individuals are encouraged and empowered to respectfully inform others about the policy in an ongoing effort to support individuals to be tobacco free and encourage a culture of compliance. Substantiated violations will have appropriate disciplinary action.

1. Montclair State University prohibits smoking in all buildings and facilities, including, but not limited to: residence halls, apartments, offices, classrooms and laboratories, studios, libraries, theaters and auditoriums, gymnasiums and recreation centers, parking structures, and public reception areas. The New Jersey Smoke-Free Air Act of 2006 was amended in 2010 banning electronic smoking devices. Therefore, the use of any electronic smoking device, including vapor/hookah/Juul/etc... also is prohibited within any facility. Further, use of smokeless tobacco products also is prohibited within buildings.

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Students are not permitted t

- c. The Hearing Officer will offer the student the opportunity to share their account of the incident with any supporting documentation. The student also has the choice not to share any account or documentation.
- d. The Hearing Officer has the ability to ask questions to the accused student. The accused student may choose to answer or not answer any questions posed.
- e. The Hearing Officer will offer the student the opportunity to make a final statement and will enter a final statement of their own prior to conclusion of the hearing.
- f. Decisions may be appealed according to the standards outlined in Section VIII.

(I) Grade the work under question "zero" or "failing"

(II) Allow the student to demonstrate that they can fulfill an assignment through their own honest effort.

(b) For an offense which seems to be a clear case of cheating or which does not seem to warrant leniency, the faculty member, after consulting with the chairperson, do either or both of the following:

(I) Grade the work under question "zero" or "failing"

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