

Utica College Code of Student Conduct

Utica College is a community committed to the principles of civility and fairness in pursuit of a purposeful academic experience. Students (residential, commuter, and online), staff, and faculty can expect that every interaction will be governed by the values of the college - lifelong learning, ethical behavior and integrity, honest communication, and the well-being of others. These are integral components of Utica College. The Code of Student Conduct articulates the connection between student behavior and these norms and expectations of the college community.

Each student is responsible for his/her conduct from admission to Utica College to graduation. Students are expected to know and uphold the Code of Student Conduct, as well as abide by local, state, and federal law. When the Code is not upheld, students will face action through the conduct process. While most alleged violations of the Code of Student Conduct occur while the student is on campus, students involved in off-campus incidents may also be charged through the College's Conduct process. This occurs when the alleged incident adversely affects members of the College community, interferes with the daily lives of local residents, and/or jeopardizes the College's positive public relationship with the community/public.

The following behaviors are violations of the Code of Student Conduct:

1. Academic dishonesty which includes, but is not limited to: plagiarism, cheating, misuse of academic resources or facilities, misuse of software, data, equipment, or networks, or any act that hinders the academic process.*
2. Academic and professional misconduct which includes, but is not limited to: misuse of academic resources or facilities, behavior in and outside of the classroom, misuse of software, data, equipment, or networks, or any act that hinders the academic process.**
3. Participating in any activity that disrupts or obstructs the normal operations of the College or its members, or leading/inciting others to disrupt scheduled and/or normal activities. Specific examples of how the College categorizes misconduct in this area include, but are not limited to:
 - A. Disruptive Behavior
 - B. Insubordination to Faculty or Staff
 - C. Noise Violation
4. Physical harm or threat of physical harm to any person(s). Specific examples of how the College categorizes misconduct in this area include, but are not limited to:
 - A. Aggressive behavior, including behavior that is perceived to be forceful, hostile or attacking, which may occur either in retaliation or without provocation.
 - B. Physical violence, including striking, shoving, or kicking another person, or attempting/ threatening to do the same
5. Harassment occurs if an individual engages in conduct (physical, verbal, graphic, written, or electronic) that is sufficiently severe, pervasive, or persistent so as to interfere unreasonably with or limit the ability of another individual to participate in or benefit from the services, activities or privileges provided by the College, or has the purpose of creating an intimidating or hostile environment. Harassment may include conduct that occurs based on race, sex, color, ethnic or national origin, religion, age, sexual orientation, disability, or veteran status. Harassment is not limited to the

categories listed above, and may include obscene or threatening behavior and/or verbal abuse. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated instances.

6. Any unauthorized use of electronic or other devices to make an audio or video record of any person while on College premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, restroom, or in any place where there is a reasonable expectation of privacy.
7. Conduct that threatens the mental or physical health and safety of any person(s). Specific examples of how the College categorizes misconduct in this area include, but are not limited to:
 - A. Endangering one's safety
 - B. Endangering the safety of others
 - C. Alcohol/drug use resulting in medical treatment
 - D. Inhaling or ingesting any substance that could alter a student's mental state or have a negative impact on a student's well-being
8. Theft or damage to personal or institutional property or services. Specific examples of how the College categorizes misconduct in this area include, but are not limited to:
 - A. Theft
 - B. Theft of services
 - C. Vandalism
 - D. Damage to property
 - E. Possession or use of stolen property
 - F. Misappropriation of funds
9. Misuse of college identification cards, records, or documents, including forgery, alteration, or fabrication.
10. Failure to comply/failure to act. Specific examples of how the College categorizes misconduct in this area include, but are not limited to:
 - A. Failure to comply with the directives of College officials or representatives in the performance of their duties
 - B. Furnishing false information to a College official or representative
 - C. Being present when a violation of the Code of Student Conduct or Residence Hall Agreement is occurring, and failing to leave and notify campus authorities that there is a violation(s) taking place
 - D. Failure to carry Utica College ID and/or provide ID at the request of a College official
11. Unauthorized entry, use, or occupation of College facilities that are locked, closed, or otherwise restricted as to use. Specific examples of how the College categorizes misconduct in this area include, but are not limited to:
 - A. Unauthorized use/misuse of keys
 - B. Trespassing
 - C. Unauthorized use of property
 - D. Providing unauthorized access to College facilities

12. Conduct that adversely affects the campus's quality of life or unduly disturbs one or more members of the college community. Specific examples of how the College categorizes misconduct in this area include, but are not limited to:
 - A. Solicitation
 - B. Hallway sports
 - C. Lewd/indecent behavior

13. Underage use, possession, purchase, or distribution of alcohol to underage persons, or being an underage person in the presence of alcohol being consumed. Specific examples of how the College categorizes misconduct in this area include, but are not limited to:
 - A. Underage possession/underage consumption of alcohol
 - B. Underage persons in the presence of alcohol being consumed
 - C. Providing alcoholic beverages to underage persons
 - D. Hosting or participating in any activity that promotes mass or excessive consumption of alcohol
 - E. Public intoxication
 - F. Possession or being in the presence of alcohol paraphernalia including, but not limited to, empty containers
 - G. Violating Residence Hall Alcohol Policy
 - H. Suspicion of possession/use of alcohol

14. Use, possession, manufacturing, distribution, or sale of drugs or other controlled substances except as expressly permitted by law, or being in the presence of any of the above. Specific examples of how the College categorizes misconduct in this area include, but are not limited to:
 - A. Sale/distribution of illegal drugs
 - B. Possession/use of illegal drugs
 - C. Being in the presence of drugs or other controlled substances except as expressly permitted by law
 - D. Use of a prescription drug if the prescription was not issued to the student, or the distribution or sale of a prescription drug to a person to whom the prescription was not originally issued
 - E. Possession or being in the presence of drug paraphernalia, including, but not limited to, bongs or glass pipes
 - F. Suspicion of marijuana/illegal drug use

15. Unauthorized possession or use of firearms, explosive devices, fireworks, dangerous or illegal weapons, or hazardous materials. This may include the use of anything as a weapon which was not intended for that purpose.

16. Interference with or misuse of fire alarms, fire prevention and detection equipment, or other safety and security equipment. Specific examples of how the College categorizes misconduct in this area include, but are not limited to:
 - A. Tampering with fire, safety, or security equipment
 - B. Causing the false report of a fire
 - C. Intentional or reckless behavior that causes a fire
 - D. Interfering with or failing to follow emergency procedures
 - E. Fire safety violations including, but not limited to, candles and extension cords

17. Violation of any college policy, rule, or regulation published in hard copy or available electronically on the Utica College website. Specific examples of how the College categorizes misconduct in this area include, but are not limited to:
- A. Violation of the Residence Hall Agreement
(<https://www.utica.edu/student/reslife/agreement.cfm>)
 - B. Violation of the Sexual Misconduct Policy
(<https://utica.edu/student/conduct/sexualmisconductpolicy.cfm>)
 - C. Violation of the Sexual Harassment Policy
(http://www.utica.edu/policies/media/sexual_harassment.pdf)
 - D. Violation of the Hazing Policy
(<http://www.utica.edu/student/activities/organizations/igc/hazing.cfm>)
 - E. Violation of the Utica College Posting Policy
(<http://www.utica.edu/policies/policies.cfm?id=89>)
 - F. Violation of the Copyright and Peer to Peer File Sharing Policy
(<http://www.utica.edu/policies/policies.cfm?id=129>)
18. Violation of federal, state, or local laws. Students are expected to comply with all laws, whether or not they are on the college campus.

*Instances of academic dishonesty may be referred to the Academic Standards Committee by the Office of Student Conduct & Community Standards, and instances of academic misconduct may be referred by the Academic Standards Committee to the Office of Conduct & Community Standards for possible action through the student conduct process. Behavior by a student may result in both academic action and action through the student conduct process. As these processes are separate, the decision rendered in one place will not determine the decision rendered in the other. Please refer to the College catalog for a complete description of the definition and procedures followed for cases involving academic dishonesty.

**Matters of professional misconduct are typically handled by the relevant academic department, unless the behavior is so egregious as to warrant it being referred to the Office of Academic Affairs.

***This document will be reviewed annually, and periodically revised and distributed to the college community. The responsibility for review and revision of this document falls under the purview of the Office of Student Conduct & Community Standards.