



**NEW YORK UNIVERSITY TANDON SCHOOL OF ENGINEERING**  
**STUDENT CODE OF CONDUCT**

**I. PREAMBLE**

Academic communities exist to facilitate the process of acquiring and exchanging knowledge and understanding, to enhance the personal and intellectual development of its members, and to advance the interests of society.

In order to realize these goals, community members must not be subject to a disruption of the community's educational mission and social activities. They must be free from an unreasonable interference in the exchange of concepts and ideas. They must be free from the threat of personal injury, bias or harassment, and intimidation or coercion. They must be free from the threat of damage to or loss of their property.

At the same time, members of the academic community have a responsibility to uphold the goals and good order of the academic community through personal integrity, honesty, and respect for others.

This Code of Conduct is concerned, in particular, about the rights and responsibilities of the student in the NYU School of Engineering.

**II. PROGRAM OF ENFORCEMENT**

- A. The function of the Coordinator of Advocacy and Compliance in the Office of Student Affairs at the School of Engineering and the Office of Community Standards and Compliance at NYU is to support the educational mission of the University through efforts to preserve the social and academic integrity of the University environment and to facilitate the academic, professional, and personal growth of students by addressing and resolving issues involving students whose behavioral choices negatively affect themselves and the community.
- B. Academic misconduct and issues of academic integrity arising from academic programs and activities will be reviewed by faculty members in cooperation with the Associate Dean of Student Affairs, the Coordinator of Advocacy and Compliance at the School of Engineering, and faculty members of the Student Affairs Committee (SAC), depending on the nature and circumstances of those matters and in accordance with the policies and procedures of NYU School of Engineering. See Section III.
- C. Non-academic misconduct directly arising within an academic program or activity (for example, threatening a teacher in a classroom) will be managed by the Associate Dean of Student Affairs, the Coordinator of Advocacy and Compliance, and the Student Affairs Committee. See Section IV.A, B, C, D. For alleged cases of sexual assault or harassment, see Section IV.E.2.
- D. Non-academic misconduct not directly arising within an academic program or activity (for example, assault or threatening behavior in a residence hall) will be referred to the Office of Community Standards and Compliance in accordance with the policies and procedures of New York University as set forth here: <http://www.nyu.edu/life/student-life/student->

[communitystandards.html](#). See Section IV.E. For alleged cases of sexual assault or harassment, see Section IV.E.2.

### III. NYU SCHOOL OF ENGINEERING POLICIES AND PROCEDURES ON ACADEMIC MISCONDUCT

- A. Introduction: The School of Engineering encourages academic excellence in an environment that promotes honesty, integrity, and fairness, and students at the School of Engineering are expected to exhibit those qualities in their academic work. It is through the process of submitting their own work and receiving honest feedback on that work that students may progress academically. Any act of academic dishonesty is seen as an attack upon the School and will not be tolerated. Furthermore, those who breach the School's rules on academic integrity will be sanctioned under this Policy. Students are responsible for familiarizing themselves with the School's Policy on Academic Misconduct.
- B. Definition: Academic dishonesty may include misrepresentation, deception, dishonesty, or any act of falsification committed by a student to influence a grade or other academic evaluation. Academic dishonesty also includes intentionally damaging the academic work of others or assisting other students in acts of dishonesty. Common examples of academically dishonest behavior include, but are not limited to, the following:
1. Cheating: intentionally using or attempting to use unauthorized notes, books, electronic media, or electronic communications in an exam; talking with fellow students or looking at another person's work during an exam; submitting work prepared in advance for an in-class examination; having someone take an exam for you or taking an exam for someone else; violating other rules governing the administration of examinations.
  2. Fabrication: including but not limited to, falsifying experimental data and/or citations.
  3. Plagiarism: intentionally or knowingly representing the words or ideas of another as one's own in any academic exercise; failure to attribute direct quotations, paraphrases, or borrowed facts or information.
  4. Unauthorized collaboration: working together on work that was meant to be done individually.
  5. Duplicating work: presenting for grading the same work for more than one project or in more than one class, unless express and prior permission has been received from the course instructor(s) or research adviser involved.
  6. Forgery: altering any academic document, including, but not limited to, academic records, admissions materials, or medical excuses.
- C. Procedures for review (at class, departmental, and Student Affairs Committee level) of allegations of academic misconduct: When a student is suspected of academic dishonesty, the following action must be taken:
1. A course instructor who suspects a student has engaged in behavior that violates the School of Engineering Policy on Academic Misconduct must collect any evidence of

- dishonesty of which he or she becomes aware. In the case of an examination proctor, the proctor will collect the evidence and bring the incident to the attention of the course instructor at the conclusion of the exam.
2. Any person other than a proctor (for example, a fellow student, teaching assistant, or a course instructor) who suspects a student of academic dishonesty must inform the course instructor and/or the Department Chair of his or her suspicions and provide the evidentiary basis for those suspicions. If the report is made to the Department Chair, the Chair should inform the course instructor and forward the relevant facts and evidence to the course instructor, who must then meet with the student.
  3. A course instructor who has been notified of an alleged act of academic dishonesty by a proctor, a third-party, or the Department Chair, or who personally suspects a student has engaged in any form of course-related behavior that violates the School's Policy on Academic Misconduct must collect any evidence of that dishonesty and shall, as soon as possible, notify the student of the allegation(s).
  4. The course instructor shall conduct a private meeting with the student. At such a meeting, the course instructor should explain his or her reasons for believing that a breach of academic honesty has occurred, and the student should be given an opportunity to respond.
  5. If the course instructor becomes convinced that the student is innocent, then the accusation shall be dropped.
  6. If the student admits dishonesty, the course instructor, before rendering a decision, should check with the Coordinator of Advocacy and Compliance in the Associate Dean of Student Affairs office to determine if the student has a prior record on file for academic dishonesty. If the course instructor believes the imposition of a sanction listed in Sections III.D.1-3 of this policy effectively addresses the matter, the instructor should impose such a sanction in a written notice to the student; the course instructor must also inform the Coordinator of Advocacy and Compliance in the Associate Dean of Student Affairs office of the outcome.
  7. If the course instructor believes the nature of the admitted action and/or the record of the student warrants a sanction that exceeds his or her authority to impose, the course instructor may refer the matter to the Department Chair for review. In doing so, the course instructor should provide the Department Chair with a memo describing the allegation and the evidence in the matter.
  8. If the student denies the dishonesty, the course instructor shall refer the matter to the Department Chair for review, providing the Department Chair with a memo describing the allegation and the evidence in the matter.
  9. The Department Chair shall meet with the student and attempt to find a resolution. Should the Department Chair not be able to reach a mutually agreeable resolution, or if the student continues to deny academic dishonesty, then the Department Chair will inform the Associate Dean of Student Affairs in writing of the basis for the allegation of academic misconduct. The Associate Dean of Student Affairs will contact the Coordinator of Advocacy and Compliance, as well as the Student Affairs Committee about the matter.
  10. The Associate Dean of Student Affairs, or his or her designee, usually the Coordinator of Advocacy and Compliance, will review the relevant facts and evidence and will prepare a case for a Student Affairs Committee hearing.

- a. Prior to a Student Affairs Committee hearing, an investigation will be completed by the Coordinator of Student Advocacy and Compliance, and the results of the investigation and the related evidence will be supplied to the Student Affairs Committee members. All those involved in the hearing (for example, the accused student, identified here as the respondent; the course instructor, identified here as the complainant; the witnesses) will be notified by the Associate Dean of Student Affairs of the date, time, and location of the hearing at least seven business days prior to the hearing.
  - b. If a student who is alleged to have engaged in an act of academic dishonesty withdraws from the course within the University Registrar's deadline for doing so, but before the completion of the ongoing investigation of the student's case and, thus, is awarded a W instead of the grade subsequently deemed to be warranted as a result of the alleged misconduct (for example, an F), the matter should be referred to the Student Affairs Committee. In such instances, the student should be afforded an opportunity to appear before the Student Affairs Committee to present his or her case. Based on its investigation and deliberation, the Student Affairs Committee will make a recommendation to the course instructor regarding the student's final grade. The Registrar will be informed of the instructor's final decision by the Department Chair.
11. Student Affairs Committee hearings will be conducted in accordance with the following procedures:
- a. The Student Affairs Committee is comprised of three elected faculty members, one of whom is the Chair of the Committee, and four students, two of whom are graduate students and two of whom are undergraduate students.
  - b. Student Affairs Committee hearings are closed to the public.
  - c. The presiding Chair of the Student Affairs Committee hearing shall exercise control over the proceedings to achieve a fair and orderly process.
  - d. Formal rules of evidence shall not be applicable in disciplinary proceedings conducted pursuant to this Code.
  - e. Any person, including the respondent, who disrupts a hearing, may be excluded by the presiding person. See also Section IV.B.18 below.
  - f. After receiving notice of the hearing, if the respondent fails to appear for the hearing, the hearing may proceed in his or her absence.
  - g. Hearings shall be recorded and written notes will be taken. Both will be retained in the Office of Student Affairs by the Coordinator of Student Advocacy and Compliance for one year.
  - h. The complainant and the respondent will be afforded an opportunity to present their perspectives and related evidence relevant to the matter being heard by the Student Affairs Committee.
  - i. Complainants and respondents shall be allowed to question those witnesses who testify for either party at the hearing. Badgering witnesses will not, however, be allowed.
  - j. The complainant, respondent, and witnesses will be asked to affirm that their testimony is truthful.

- k. Prospective witnesses, other than the respondent, will be excluded from the hearing during the testimony of other witnesses.
- l. All parties and witnesses shall be excluded during the Student Affairs Committee deliberations that follow the hearing.
- m. A determination as to the responsibility of the respondent for a violation shall be made on the standard of preponderance of the evidence, not on the standard of proof beyond a reasonable doubt.
  - i. The Student Affairs Committee confirms sanctions as listed in Section III.D.1-3 for most cases based on the evidentiary standard above.
  - ii. The Student Affairs Committee reviews evidence, including meeting with witnesses and taking testimony from the accused student, also identified as the respondent, and reaches a conclusion whether the evidence supports the course instructor's decision or not. The Student Affairs Committee notifies the course instructor of its decision. In no circumstances does the Student Affairs Committee act to change a grade. It can recommend that the course instructor reconsider the grade if the results of the hearing suggest this.
  - iii. If, however, the behavior in question rises to the level of an offense thought to be egregious by the academic community as a whole, such as, but not limited to, plagiarism of a Ph.D. dissertation, the Student Affairs Committee may impose additional sanctions listed in Section III.D.5-7 as deemed appropriate.
  - iv. Any sanction of expulsion or suspension is automatically subject to review by the Dean of Engineering.
- n. The Student Affairs Committee will communicate the decision and any sanctions to be imposed in the matter within seven business days from the date of the hearing to the Associate Dean of Student Affairs through the Coordinator of Student Advocacy and Compliance. The Associate Dean of Student Affairs will communicate the Student Affairs Committee's decision to the accused student, also identified as the respondent, within seven business days of receiving it from the Student Affairs Committee. The Department Chair will also be informed.

#### D. Sanctions available in Academic Misconduct Matters

- 1. A rejection of the assignment or project, along with a requirement that the student complete a substitute assignment. This may be particularly appropriate where there is an honest misunderstanding about the degree of collaboration permitted by a course instructor, or where a course instructor is not sure a student has intentionally acted dishonestly.
- 2. A grade of F for the assignment, examination, or project. A record of the sanction shall be retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance, which is a centralized location for misconduct records, and may be kept in academic department files at their discretion.\*

3. A grade of F for the course or other academic requirement. A record of the sanction will be retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance.\*
4. Dismissal from an undergraduate or a graduate program at the discretion of the Department in question and based on the nature of the academic misconduct.
5. Completion of a community-service requirement to the School, including, but not limited to, educational programs and/or presentations designed to compensate the School community for violations of this Code. A record of the sanction will be retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance.
6. Suspension from the School for a period not to exceed one year with notation on the transcript during the suspension period. A record of the sanction will be retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance. See also Sections III.C.11.m.iv and III.E.2.
7. Expulsion from the School with appropriate notation on the student's transcript. A record of the sanction will be retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance. See also Sections III.C.11.m.iv and III.E.2.

\*In cases of a single incident of academic dishonesty, to which the student has admitted and to which sanctions have been limited to Section III.D.1-3, the conduct file retained in the office of the Associate Dean of Student Affairs by the Coordinator of Advocacy and Compliance may be destroyed at graduation upon the written application of the student. In other cases, records will be kept according to the Retention of Records policy of NYU.

- E. Appeal in a matter of academic misconduct:
1. A decision rendered by a course instructor in accordance with Section III.C.6 above is not subject to appeal.
  2. A decision rendered by a Student Affairs Committee hearing may be appealed if the sanction involves a suspension or expulsion from the School and University and in accordance with the following procedures. See also Sections III.C.11.m.iv and III.D. 6 and 7.
  3. An appeal must be submitted in writing to the Dean of the School of Engineering within seven business days from the date on which the decision was sent to the student.
  4. The appeal must cite one or more of four of the following grounds as the basis for the appeal; it must include evidence to support the allegation; and it must specify the remedy sought by the appellant:
    - a. That the proceedings were conducted in an arbitrary or unfair manner not in accordance with the policies and procedures described above.
    - b. That the outcome or decision was unreasonably disproportionate to the nature of the behavior in which the student was determined to have engaged.
    - c. That the administrator or panel that reviewed the matter was biased or that there was a conflict of interest.

- d. That there is new, substantial, and relevant evidence that was unavailable to the accused student or to the original Student Affairs Committee hearing at the time of the hearing.
5. The appeal will be reviewed by the Dean of the School of Engineering or, at the Dean's discretion, by a panel consisting of two faculty members and one administrator appointed by the Dean.
    - a. The Dean or the panel considering the appeal may stay the sanction pending the outcome of the appeal.
    - b. An appeal does not consist of a new hearing. Rather, it involves a review of the letter of appeal and the related documents of the case. The Dean or the panel may request additional information from the appellant and/or the original hearing, as needed.
    - c. The Dean or the panel may reach one of the following conclusions:
      - i. That there is an insufficient basis to support the appeal and leave the original sanctions in place as issued.
      - ii. That there is a sufficient basis to support the appeal and remedy sought by the appellant.
      - iii. That there is a sufficient basis to support the appeal and mandate that a new hearing or proceeding be conducted on the matter by another panel of two faculty members and one administrator appointed by the Dean and not involved in the original process.
    - d. The Dean shall notify the appellant of the panel's decision within fifteen business days of the date the appeal was received.
    - e. The appeal shall be the final decision in the matter.

**IV. NYU SCHOOL OF ENGINEERING POLICIES AND PROCESURES ON NON-ACADEMIC MISCONDUCT DIRECTLY ARISING WITHIN AN ACADEMIC PROGRAM OR ACTIVITY. SEE SECTION IV.A, B, C, D BELOW.**  
**NYU SCHOOL OF ENGINEERING POLICIES AND PROCEDURES ON NON-ACADEMIC MISCONDUCT NOT DIRECTLY ARISING WITHIN AN ACADEMIC PROGRAM OR ACTIVITY. SEE SECTION IV.E. BELOW.**

- A. Non-academic misconduct is behavior that is not a matter of academic misconduct. It arises in a program or activity sponsored by, or under the authority of, a School of Engineering academic department, including off-campus conduct that occurs in the context of a School of Engineering academic- or school-sponsored activity.
  1. These standards apply to School of Engineering students, guests, and visitors. Students will be held accountable for the actions of their guests who engage in violative behavior.
  2. Conduct that is violative of such policies occurring off University premises will ordinarily not be subject to University discipline unless such conduct seriously affects the interests of the University or the position of a member within the University community or occurs in close proximity to University premises and is connected to violative conduct on University premises. See Section IV.E below.



- B. Examples of School of Engineering-based prohibited non-academic misconduct include, but are not limited to:
1. Classroom conduct:
    - a. The individual course instructor is primarily responsible for managing the classroom environment. If a student engages in any prohibited or unlawful acts or other behavior that results in disruption of a class, he or she may be directed by the course instructor to leave the class for the remainder of the class period.
    - b. Longer suspensions from a class, or dismissal on disciplinary grounds, must be preceded by a review by the Dean of the School of Engineering in consultation with the Associate Dean of Student Affairs, the Coordinator of Advocacy and Compliance, and the Student Affairs Committee.
    - c. Course instructors will encourage free discussion, inquiry, and expression in the classroom.
    - d. A student's grades must be evaluated on academic performance based solely on class assignments and/or examinations, not on opinions expressed or on conduct unrelated to academic criteria, unless this conduct is disruptive to the academic endeavor.
    - e. Students have the right to freedom of expression; however, that right must be exercised with reason and discretion. Although students may take exception to the information or views presented in any class, they are responsible for learning the content of any course in which they are enrolled.
  2. Harm to persons:

This includes intentionally or recklessly causing physical harm or endangering the health or safety of any person or oneself at academic activities or in classes.
  3. Threatening Behaviors:
    - a. Threat: This includes written or verbal conduct, including electronic communication and social media, that causes a reasonable expectation of injury to the health or safety of any person or damage to any property in a class or at an academic-sponsored event. See also Sections IV.B. 4, IV.B.15, and IV.B.19.k.
    - b. Intimidation: Intimidation is defined as implied threats or acts that cause reasonable fear of harm to another in class or at any academic-sponsored event.
  4. Bullying and Cyberbullying:

Bullying and cyberbullying are repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally; these acts are not protected by freedom of expression. See Sections IV.B.15 and IV.B.19.k
  5. Collusion:

This includes action or inaction with another or others to violate the Code of Conduct.
  6. Disruptive Behavior:

This includes substantial disruption of University operations, including obstruction of teaching, research, administration, or other academic activities.
  7. Fire Safety:

Violation of local, state, federal, or campus fire policies, including, but not limited to:

    - a. Intentionally or recklessly causing a fire that damages University or personal property or that causes injury.



- b. Failure to leave a University building during a fire alarm.
  - c. Improper use of University fire-safety equipment.
  - d. Tampering with or improperly engaging a fire alarm, a fire-detection device, or fire-control equipment while on University property.
8. Falsification:  
This includes knowingly furnishing or possessing false, falsified, or forged materials, documents, accounts, records, identification, or financial instruments, including medical documentation. It also includes submitting false or misrepresentative documents or information to the University for the purpose of seeking admission, access to services, privileges, or other material gains. Knowingly filing a disciplinary complaint that is false is also considered to be a form of falsification.
9. Unauthorized Entry:  
This includes misuse of access privileges to University premises or unauthorized entry to or use of buildings, including trespassing, propping open doors, or unauthorized use of alarmed doors for entry into or exit from a University building.
10. Unauthorized Access:  
This includes unauthorized access to any University building using keys, cards, or other means of access; unauthorized possession, duplication, or use of any means of access to any university building; or failing to report in a timely manner a lost University identification card, key, or other means of access.
11. Theft of Property:  
This includes the intentional and unauthorized taking of University property or the personal property of another, including goods, services, and other valuables in classrooms or at academically sponsored activities. Also included is the holding or possession of stolen property.
12. Trademark:  
This includes the unauthorized use, including misuse, of University or organizational names and images.
13. Damage and Destruction:  
This includes the intentional or reckless and/or unauthorized damage to, or destruction of, University property or the personal property of another in classrooms or during other academic activities.
14. Failure to comply:  
This includes failure to comply with the reasonable directives of University officials or law-enforcement officers during the performance of their duties and/or failure to identify oneself to those persons when requested to do so.
15. Computer Use:  
This includes violating the School's acceptable use and computing policy, found online at: <http://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/responsible-use-of-nyu-computers-and-data-policy-on.html>. See also Sections IV.B.3.a, IV.B.4, and IV.B.19.k regarding social media.
  - a. Students should be aware that the Code of Conduct may be applied to behavior conducted online, via email, or by means of other electronic communication and social media.
  - b. Students should also be aware that online postings such as blogs, web postings, chats, and social networking sites are in the public sphere and are not private. These postings can subject a student to allegations of conduct violations if there is evidence of policy

- violation. The University does not search for such information, but it may take action if and when such information is brought to the attention of University officials.
- c. Most online speech by students not involving University networks or technology will, however, be protected as free expression and not subject to this Code with two notable exceptions:
- i. A true threat, defined as a threat a reasonable person would interpret as a serious expression of intent to inflict bodily harm upon specific individuals.
  - ii. Speech posted online about the University or its community members that causes a significant on-campus disruption.
16. Provoking Others to Misconduct:  
This includes intentionally using words or actions to provoke or encourage others to commit violent or retaliatory behavior or other acts of misconduct in classrooms or at academic-sponsored activities.
17. Unauthorized use of School of Engineering facilities or equipment for political or other non-school activities.
18. Abuse of the Student-Conduct Process (see also Section III.C.11 above):
- a. Failure to participate in a mandated University student-conduct hearing of which the student has received prior notification.
  - b. Disrupting a student-conduct meeting or hearing.
  - c. Falsification, distortion, or misrepresentation of information related to a student-conduct matter.
  - d. Failure to provide, destroying, or concealing information during an investigation of an alleged policy violation.
  - e. Attempting to discourage an individual's proper participation in, or use of, Code of Conduct procedures.
  - f. Harassment (verbal or physical) and/or intimidation of a member of a campus-conduct body prior to, during, and/or following a campus-conduct proceeding.
  - g. Failure to comply with the sanction(s) imposed by the campus conduct system.
  - h. Influencing, or attempting to influence, another person to commit an abuse of the campus-conduct system.
19. In addition, violation of any of the following NYU policies during the course of, or within the context of, a School of Engineering-based activity. These policies include, but are not limited to, those on this list. Students are responsible for familiarizing themselves with these policies.

A DETAILED DESCRIPTION OF EACH OF THE POLICIES BELOW IS AVAILABLE  
AT : <http://www.nyu.edu/life/student-life/student-communitystandards/university-student-conduct-policies.html>

- a. University Policy on Substance Abuse and Alcoholic Beverages and Guidelines for Action.
- b. Statement and Guidelines on Bullying, Threatening, and Other Disruptive Behavior.
- c. Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Students.
- d. Educational and Research Uses of Copyrighted Materials.
- e. Guidelines Regarding Protest and Dissent.

- f. Smoke-Free Campus Policy.
- g. Service-Animal Policy.
- h. Responsible Use of NYU Computer and Data
- i. Policy on Appropriate Use of Email.
- j. Policy on Weapons, Simulated Weapons, and Theatrical Use of Weapons (applicable to students).
- k. See the sections above regarding electronic communication and social media: IV.B.3.a and IV.B.15.

C. Procedures for the Management of Allegations of Non-Academic Misconduct in School of Engineering-Based Activities:

1. Filing a complaint with the School of Engineering:

In the case of non-academic misconduct arising in a School of Engineering-based context, a complaint may be filed by a course instructor, a student, an administrator, or staff member with the Associate Dean of Student Affairs in consultation with the Coordinator of Advocacy and Compliance and the Student Affairs Committee.

2. Investigation:

- a. The Associate Dean of Student Affairs through the Coordinator of Advocacy and Compliance will commence the process of reviewing the complaint, report, and other materials associated with the matter by contacting the complainant or the person filing the report. The student(s) named in the complaint or report must be notified of the filing of the complaint or report against them and requested to meet with the Coordinator of Advocacy and Compliance in the office of the Associate Dean of Student Affairs.
- b. During these respective meetings, both the complainant and the accused student(s) or respondent will be informed of their rights and responsibilities within the student-conduct hearing process, be apprised of the University's related procedures, and be asked to discuss the incident giving rise to the complaint. The student(s) may also be asked to submit, by a designated date, a written statement about the incident and to provide the name and contact information of any witnesses or other individuals who might be able to offer information regarding the matter.

3. Consideration of Interim Suspension:

- a. A student should not summarily be suspended either completely or for certain purposes from a school class, program, building, or activity except for reasons relating to his or her physical or emotional safety and well-being; the safety and well-being of students, faculty, staff, or University property; the maintenance of public order; or the effective continuation of the education process.
- b. The Dean of the School of Engineering or his or her respective designees may determine to suspend the student who is accused of having violated University policy pending consideration of the student's case through the disciplinary process. When this occurs, the student shall be afforded the opportunity to expedite disciplinary proceedings so as to enable the determination of the appropriate resolution at the earliest possible time. Any period of interim suspension shall be deducted from any ultimate sanction involving suspension.
- c. A student who has been subject to interim suspension and who is found "not

responsible” shall be allowed full opportunity to make up whatever work was missed due to the suspension.

4. Disposition:

Based upon the investigation, the Associate Dean of Student Affairs, the Coordinator of Student Advocacy and Compliance, and the Student Affairs Committee will make a determination as to the appropriate disposition of the matter through one of the following courses of action:

- a. Dismissal: The complaint will be dismissed if it appears not to have merit or, even if the facts alleged in the complaint are true, there would be no violation of a University policy.
- b. Referral: The matter will be referred to another University office, such as the Office of Community Standards, if that office or process is thought to be the more appropriate venue through which to address the matter.
- c. Referral: The matter may be referred by the Associate Dean of Student Affairs, in consultation with the Coordinator of Advocacy and Compliance, to the Student Affairs Committee, which will determine the sanctions.
- d. Sanctions: may include, but are not limited to, the following:
  - i. Warning: An official written notice that the student has violated University policy and that more severe conduct action will result should the student be involved in other violations while he or she is enrolled at the University.
  - ii. Restitution: Compensation for damage caused to the University or any person’s property. This is not a fine but, rather, a repayment for labor costs and/or the value of property destroyed, damaged, or stolen.
  - iii. Fines: Reasonable fines may be imposed.
  - iv. Loss of privileges: The student will be denied specified privileges for a designated period of time.
  - v. Behavioral Requirement: This includes, but is not limited to, anger-management sessions, substance-counseling sessions, and letters of apology.
  - vi. Educational Program: Requirement to attend, present, or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student is found responsible.
  - vii. Denial of Employment: Suspension or exclusion from current or future University employment.
  - viii. Eligibility Restriction: Specific limitations may include, but are not limited to, the following:
    - Ineligibility to hold any office in any student organization recognized by the University.
    - Ineligibility to represent the University to anyone outside the University community in any way, including attending conferences or representing the University at any official function or event.
  - ix. Suspension: Separation from the University for a specified minimum period of time, after which the student would be eligible to return. During the suspension period, the student would be banned from University property.

Any sanction of expulsion or suspension would be automatically subject to review by the Dean of Engineering.

- x. Expulsion: Permanent separation from the University. The student will be banned from university property, and the student's presence at any University-sponsored activity or event will be prohibited. Any sanction of expulsion or suspension is automatically subject to review by the Dean of Engineering.
  - xi. Transcript Notations: A notation of his or her involvement in a student-conduct matter may be placed on a student's University transcript for a designated period of time or permanently. In cases of expulsion, a permanent notation is typical.
5. The Associate Dean of Student Affairs within seven business days from the date of the decision of the review will communicate in a letter to the accused student the sanctions to be imposed in the matter.

D. Appeal in a matter of non-academic misconduct in a School of Engineering-based activity:

1. An accused student shall have the right to appeal the decision of the non-academic misconduct in a School of Engineering-based activity decided in the School of Engineering.
2. An appeal must be submitted in writing to the Dean of the School of Engineering within seven business days from the date on which the decision was sent to the student.
3. The appeal must cite one or more of the four following grounds as the basis for the appeal; it must include evidence to support the allegation; and it must specify the remedy sought by the appellant.
  - i. That the proceedings were conducted in an arbitrary or unfair manner not in accordance with the policies and procedures described above.
  - ii. That the outcome or decision was unreasonably disproportionate to the nature of the behavior in which the student was determined to have engaged.
  - iii. That the administrator or panel that reviewed the matter was biased or there was a conflict of interest.
  - iv. That there is new, substantial, and relevant evidence that was unavailable to the accused student or to the original hearing officer at the time of the hearing.
4. The appeal will be reviewed by the Dean of the School of Engineering or, at the Dean's discretion, by a panel consisting of two faculty members and one administrator appointed by the Dean.
  - a. The Dean or the panel considering the appeal may stay the sanction pending the outcome of the appeal.
  - b. An appeal does not consist of a new hearing. Rather, it involves a review of the letter of appeal and the related documents of the case. The Dean or the panel may request additional information, as needed, from the student and/or the original hearing.
  - c. The Dean or panel may reach one of the following conclusions:
    - i. That there is insufficient basis to support the appeal and leave the original sanctions in place as issued.
    - ii. That there is sufficient basis to support the appeal and remedy sought by the appellant.

- iii. That there is a sufficient basis to support the appeal and mandate that a new hearing or proceeding be conducted on the matter by another panel consisting of two faculty members and an administrator not involved in the original process.
  - d. The Dean or panel shall notify the appellant of the decision within fifteen business days of the date the appeal was received.
  - e. The appeal shall be the final decision in the matter.
  
- E. Non-academic misconduct arising in contexts other than a School of Engineering-based classroom, program, or activity (for example, in residence halls, student lounges, off-campus settings, social media, or similar settings)
  - 1. The alleged misconduct will be referred by the Associate Dean of Student Affairs in consultation with the Coordinator of Advocacy and Compliance in the School of Engineering to the Office of Community Standards and Compliance in accordance with the policies and procedures set forth on the following website: <http://www.nyu.edu/life/student-life/student-communitystandards.html>.
  - 2. Cases of alleged sexual assault or harassment in School of Engineering- and non-School of Engineering-based activities or contexts will be referred by the Associate Dean of Student Affairs in consultation with the Coordinator of Advocacy and Compliance to the Executive Director of the NYU Office of Equal Opportunity.
    - a. In cases of alleged sexual assault or harassment, a third-party, for example, parent, or friend who is not affiliated with the University, may file a complaint.
    - b. In matters involving allegations of the University policy on Sexual Assault and/or Relationship Violence, both the accused and the complainant or victim have the same right to appeal the finding following the University's policies on appeal in such cases.

## **V. UNIVERSITY POLICIES AND STANDARDS ON SEXUAL ASSAULT AND HARASSMENT:**

- A. Please consult the following link for information on sexual assaults and sexual harassment: <http://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/sexual-misconduct--relationship-violence--and-stalking-policy.html>
  
- B. Reporting an Incident of Sexual Assault, Harassment, or Other Sexual Misconduct:  
Anyone may report an alleged incident to any of the following:
  - 1. NYU Department of Public Safety (646-997-3537; 212-998-2222)
  - 2. The Title IX Coordinator (212-998-2352) or via the web at: <http://www.nyu.edu/about/policies-guidelines-compliance/equal-opportunity/harassment-and-discrimination/submitcomplaint.html>
  - 3. A Residence Life and Housing staff member (212-998-4600)

4. The Associate Dean of Student Affairs in the School of Engineering (646-997-3773)
5. The Office of Community Standards (212-998-4403)
6. The Student Health Center (212-443-1000)
7. The Wellness Exchange (212-443-9999)
8. Or another campus official from the contact list available at:  
<http://www.nyu.edu/footer/contact-us.html>

## VI. UNIVERSITY POLICIES AND STANDARDS ON STUDENT-CONDUCT RECORDS:

### A. Student-Conduct Records:

Records associated with a student-conduct matters are part of a student's educational record and, as such, are covered under the standards set forth in the Family Educational Rights and Privacy Act (FERPA). Student-conduct records may be kept for a minimum period of time or permanently, depending upon the nature of the disciplinary action in which the student was involved. Students are strongly encouraged to consult the University Policy on Records for information concerning the retention of disciplinary records and the Family Educational Rights and Privacy Act for information concerning the manner in which student records are protected with respect to disclosure. The University Policy on Records is available at:  
<http://www.nyu.edu/about/policies-guidelines-compliance/policies-and-guidelines/retention-and-destruction-of-records.html>

- B. FERPA laws are regulations protecting the privacy of college and university students unless there is a record on file with the Registrar's Office that the student has waived his or her rights to privacy. Otherwise, information may not be shared by course instructors or administrators to anyone. FERPA does allow parental notification in cases of drug or alcohol violations.

Effective July 16, 2015, by Faculty vote

Corrected for accuracy 9-14-15; 2-2-16

Faculty Student Affairs Committee

Office of Student Affairs: Coordinator of Advocacy and Compliance