Touro College Code of Conduct

Students are expected to behave in a manner that is harmonious with and supportive of the activities and functions of an educational institution. The following types of actions are considered violations of the Touro College Code of Conduct and will result in disciplinary sanction:

1. Theft of, or damage to, College records and property, caused by intentional, negligent or irresponsible conduct;
2. Unauthorized use of any College property, including, but not limited to, its name, property, offices, premises, equipment (computer equipment, telephones, fax machines, copying equipment, laboratories and misuse of student ID cards);
3. Conduct which interferes with or obstructs any College functions or which physically obstructs or threatens to obstruct or restrain members of the college community;
4. The physical or sexual abuse or harassment of any member of the college community (such incidents must also be reported to the Title IX coordinator);
5. Threatening or actual infliction of bodily injury, assault, emotional trauma against students, faculty or staff of the College (such incidents must also be reported to the Chief Security Officer);
6. Disorderly, disruptive or abusive conduct in the classroom or on College premises;
7. Refusal to follow the directives of College officials acting in performance of their duties;
8. Impersonating college faculty, College officials, or college staff;
9. Forging signatures or other information on registration forms, financial aid forms or any other College documents;
10. Computer abuse, including possession of unauthorized passwords, plagiarism of programs, unauthorized destruction of files, misuse of computer accounts and disruptive or annoying behavior on the College's computer system;
11. Unauthorized sale, distribution or consumption of alcoholic beverages on College premises;
12. Distribution, purchase or possession of barbiturates, amphetamines, marijuana, hallucinogens, opiates, or any other addictive or illegal drugs or paraphernalia on College premises;
13. Gambling in any form on College premises;
14. Possession, distribution or sale of weapons, incendiary devices, or explosives on College premises;

15. Tampering with or misusing fire-fighting equipment and/or safety equipment (such as alarm-boxes and extinguishers);

16. Participation in or furtherance of any illegal activity on Touro’s premises;

17. Offensive or derogatory written or verbal statements intended to inflict harm on members of the College community, including, without limitation, racist, ethnic, or sexist remarks or references regarding any member or group of the College community;

18. Any abusive conduct or harassment directed at an individual or group of individuals in the College community on the basis of the actual or perceived race, gender, color, national origin, ethnicity, religion, age, disability, sexual orientation, marital or parental status, or citizenship status of such person(s);

19. Refusal to identify oneself to an official or security officer of the College or to present proper identification upon entering the college premises;

20. Actions that are not harmonious with and supportive of the activities and functions of an educational institution; actions that harm the reputation of the College;

21. Aiding or abetting any conduct prohibited by this College Code;

22. Conviction of a felony crime while enrolled at the College;

23. Intentionally filing a false complaint under this College Code of Conduct;

24. Academic dishonesty and lack of academic integrity;

25. Inappropriate online conduct.

**TOURO COLLEGE SOCIAL MEDIA POLICY**

Touro College policies apply to students’ online conduct. College staff members do not “police” online social networks and the College is firmly committed to the principle of free speech. However, when the College receives a report of inappropriate online conduct it is obligated to investigate. This is true even when a student posts to a personal social media account using their own phone or computer while off-campus or during a break. The College has the right to discipline students for misconduct or lack of professionalism wherever it occurs, including online
Individuals who violate any of the provisions of the Code of Conduct are subject to disciplinary action at the discretion of Touro College. Student organizations violating the above regulations may be penalized by having their charter revoked. Furthermore, disciplinary sanctions may also be imposed against the officers and members of student organizations at the discretion of Touro College.

**Adjudication of College Code of Conduct Violations**

Any member of the College Community may notify the Dean of Students or his/her designated representatives of a Code of Conduct infraction by submitting a written statement describing the alleged infraction to the Office of the Dean of Students within ten (10) school days of the alleged violation or within ten (10) school days from the time the charging individual learned of the alleged code violation, but no later than within three (3) months of the violation.

The Dean of Students, or one of his/her designated representatives, shall inform the individual charged with the infraction, in writing, of the nature of the charges against him/her and designate a time and place for a meeting in the Office of the Dean of Students.

After meeting with the individual charged with the infraction, the Dean of Students or his/her designated representatives (individuals or committee) will conduct a preliminary investigation of the charges and determine what course of disciplinary action is appropriate. The Dean of Students and/or his/her designated representatives (individuals or committee) can:

- bring the parties together for informal mediation;
- impose any of the disciplinary sanctions listed in the section entitled “Sanctions,” except that the Dean of Students (and/or his/her representatives) cannot require payment of restitution or order expulsion;
- refer the charges to the Student Affairs Committee for a disciplinary hearing;
- dismiss the charges.

**Disciplinary Hearings**

The Dean of Students may institute disciplinary proceedings by referring a matter to the Student Affairs Committee within fourteen (14) school days of notification of the alleged
infraction. Once referred to the Student Affairs Committee a hearing must be commenced within twenty-one (21) school days unless a disciplinary hearing date is adjourned for good cause. Once a disciplinary hearing is commenced it must be completed within ten (10) school days.

Sanctions

After a hearing, the Student Affairs Committee may take one or more of the following actions:

1. **Dismiss the Charges**: After reviewing all relevant information, evidence and record materials, the Student Affairs Committee may decide to dismiss the charges against the student.

2. **Impose disciplinary sanctions**, which include but are not limited to the following:

   (a) **Warning** – A written reprimand putting the student on notice that he/she has violated the Code of Conduct and indicating that further misconduct may result in a more severe disciplinary action. A copy of this warning will be placed in the student's file.

   (b) **Disciplinary Probation** - A student may be placed on disciplinary probation for a definite period of time. While on probation, students may not hold office in Student Government Organizations, Clubs or Societies or represent the college in any capacity. Further violations while on probationary status will result in suspension or expulsion from the college. A copy of the probation notice becomes a part of the student’s file.

   (c) **Counseling and Treatment** – A student’s continued enrollment at Touro College may be conditioned on his/her participation in counseling or treatment at outside counseling and treatment agencies. A student’s failure to participate in such a program after being advised that his/her enrollment is conditioned on participation may result in other disciplinary sanctions.

   (d) **Restitution** - A student may be required to pay restitution to the college or to fellow students for damages and losses resulting from his/her action.
(e) Suspension – A student may be suspended and may be barred from attending classes for a definite period, not to exceed two years. Notification of the suspension will appear on the student’s academic transcript and will remain until the end of the suspension period. A notification of the suspension will remain in the student’s file. A student may not be automatically re-enrolled at the end of his/her suspension and he/she must apply to the Student Affairs Committee for reenrollment.

(f) Expulsion – This is termination of the student’s enrolled status at the college. A student who has been expelled from the college is not permitted to complete his/her courses and may not re-register for a future semester. Notification of the expulsion will appear on the student’s academic transcript.

3. **Impose Additional Sanctions** – The Student Affairs Committee may impose the following sanctions in addition to those listed above:

   (a) A **fine** of to be paid to the college, in addition to restitution.

   (b) **Service to the College Community** for a designated number of hours. The required service cannot interfere with the individual’s course schedule.

4. **Legal Action** – In addition to imposing the disciplinary sanctions outlined above, the Student Affairs Committee may recommend that students be turned over to law enforcement authorities for legal action. The final decision on referring student cases to the authorities is made by the Office of the President.

5. **Other Sanctions** – The Student Affairs Committee may impose other sanctions that it deems appropriate and fair.

**Appeals of Disciplinary Sanctions Imposed for Code of Conduct Violations**

Any disciplinary action taken by the Dean of Students or his/her representatives for a violation of the Code of Conduct may be appealed by filing a written appeal with the Student Affairs Committee within ten (10) school days. The Student Affairs Committee will set a date for a hearing within fourteen (14) school days of receipt of the student’s written appeal. The Student Affairs Committee may overturn the decision of the Dean of Students only if it was clearly erroneous, arbitrary or capricious. The burden of proof is on the student to demonstrate that the decision of the Dean of Students was clearly erroneous, arbitrary or capricious.
The Student Affairs Committee will respond to the appealing individual, in writing, within thirty (30) school days of receipt of the written appeal.

In cases in which the disciplinary sanction was initially imposed by the Student Affairs Committee, the student may file a written appeal with the Dean of Students within ten (10) school days of the committee’s decision. The Dean of Students shall appoint a Special Appeals Panel consisting of the Dean of Faculties (or his/her representative), three full-time faculty members, and a Student Affairs staffer, to hear the student’s appeal. This hearing must be scheduled within fourteen (14) school days of the receipt of the student’s written appeal. The Special Appeals Panel may overturn the decision of the Student Affairs Committee only if it determines that the committee’s action was clearly erroneous, arbitrary or capricious.

Protocols for Disciplinary Hearings

Hearings conducted by committees designated as representatives of the Dean of Students, the Student Affairs Committee, and the Special Appeals Panel will be governed by the following protocols:

(a) All hearings are closed to the public.

(b) A quorum of the committee membership, defined as 51% of the total membership, must be present.

(c) Attorneys are not allowed to be present at any hearings.

(d) Students have the right to bring witnesses on their behalf, to present any evidence they deem relevant, to make opening and closing statements and to ask questions during the proceedings.

(e) The preponderance-of-evidence rule will govern the decision-making process.

(f) Decision will be made by a majority of participating members.

(g) The committee deliberations will be in camera.

Implemented by Touro College Jacob D. Fuchsberg Law Center as of October 8, 2019