

SECTION V

Code of Community Standards

STUDENTS' RIGHTS,
RESPONSIBILITIES AND
PRINCIPLES
AS MEMBERS OF
THE HOFSTRA COMMUNITY

Effective Fall Semester 2007



HOFSTRA
UNIVERSITY™

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PREAMBLE

Hofstra University is an institution committed to the development of students as individuals and as members of the greater Hofstra community. As an academic and social community, Hofstra strives to promote intellectual growth, stimulate learning environments, promote mutual tolerance and respect, and encourage freedom of thought and expression. To achieve these goals and their associated benefits, Hofstra community members are held to a standard of conduct designated to uphold and promote an academic community. As such, it is imperative that Hofstra students respect the rights of one another as well as the rules and regulations of the academic community with the expectation that they will then continue to foster this respect as future citizens of the global community.

Certain principles guide the development of students as scholars and citizens and serve as the foundation for the University's Code of Community Standards. The guiding principles of this code include: personal/social responsibility; respect for all individuals; integrity and ethics; development

of community; and expression and free exchange. A violation of any one of these principles will result in one or more charges of the Student Conduct Code as defined within this Code of Community Standards. Students are considered important members of the Hofstra community and are therefore expected to conduct themselves in a manner consistent with these principles as outlined below.

PRIDE PRINCIPLES

Personal/Social Responsibility

Hofstra University places a high value on the growth and development of individuals within the community. Within this developmental context, students must learn to recognize the responsibilities that accompany this citizenship and behave in a manner consistent with the educational mission of the institution. I recognize that I must adhere to the principles of social and personal responsibility and I understand that illegal activity and unacceptable/irresponsible behavior such as drug and alcohol abuse, violence against others, theft and other acts that interfere or infringe on the rights of others will not be tolerated within the community.

Respect for All Individuals

Hofstra University is committed to cultivating students' moral responsibility, aesthetic sensitivity, emotional maturity and physical well-being. Toward this goal, all members of the community must respect the rights of other individuals and groups that make up our community. Behavior that ridicules, denigrates, demeans or attacks the rights of others is contrary to this goal. I will not engage in or condone any such behavior, including harassment, stalking, bias acts, intimidation, coercion, hazing, abusive written/verbal communication, etc. I will demonstrate tolerance and respect for all community members. I will strive to learn and grow from the differences among the members of my community and recognize the value of their contributions.

Integrity and Ethics

Academic integrity is paramount to the creditability of the University's reputation and the scholarly pursuits of its members. Hofstra students bear the ultimate responsibility for upholding the principles of academic honesty and integrity. I will not engage in any activity that will violate the standards of academic integrity and will not tolerate acts of cheating, plagiarism, falsification, forgery, perjury, misrepresentation or dishonesty.

Development of Community

I will work to ensure that my fellow students are living in a safe environment. I will act in a manner that promotes a high-quality learning environ-

ment. As a member of this community, I have a responsibility to protect others from hazards to the extent that is reasonable. I understand that it is my responsibility to be knowledgeable about all relevant policies, procedures, and rules that form the basis of Hofstra's Code of Community Standards. I will abide by identification and guest policies and actively promote the safety and security of all aspects of the community. I will honor the guidelines established for residential living such as fire safety and other health and safety matters. I will attend meetings with advisers and Resident Assistants Residential Programs staff and will keep up to date with information disseminated through the Hofstra portal and my Hofstra e-mail account in order to remain informed about important issues related to the campus.

Expression and Free Exchange

I understand that I have a right to express myself freely on any subject, provided it does not violate the Student Code of Conduct. I also respect that other members of the Hofstra community are entitled to these same freedoms. In expressing myself, I understand that I must do so in an orderly manner and in a manner that does not interfere with the rights of others. I understand my right to protest is guided by basic principles and responsibilities as outlined in Hofstra's Code of Community Standards and the University's Faculty Policy Series #12: *Academic Freedom and Civil Liberties of Students at Hofstra University*.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the students of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should have been addressed.
2. The right to request the amendment of the student's education records if the student believes it is inaccurate or misleading. Students may ask the University to amend a record that they believe is inaccurate or misleading. Students should write the University official responsible for the records, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University decides

not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedure will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to school officials with legitimate education interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Hofstra University to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

Family Policy Compliance Office
U.S. Dept. of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

Availability of Records

In compliance with the Family Educational Rights and Privacy Act (Buckley Amendment), the following statement reflects Hofstra University's policy. Hofstra University may release directory information that includes, but is not limited to, the student's name, address, telephone number, electronic mail address, photograph, date and place of birth, major field of study, dates of attendance, grade level, enrollment status (e.g., undergraduate or graduate; full-time or part-time), participation in officially recognized activities and sports, weight and height of members of athletic teams, degrees, honors and awards received, and the most recent education agency or institution previously attended. Information regarding the student's record – grades, courses, GPA, Social Security number and other personal information – will not be released without the student's written consent. The University will not provide directory information for specific students who formally request

that such information be withheld from third parties. A form to request nondisclosure of directory information must be filed by the student. This form is available at the Student Administrative Complex, Memorial Hall, or can be downloaded from Hofstra's Web site.

The Solomon Amendment

In accordance with the Solomon Amendment, the University will make accessible to the secretary of defense, directory information, including each student's name, address, telephone listing, date and place of birth, level of education, academic major, degrees received and the educational institution at which the student was most recently enrolled.

CAMPUS CRIME REPORTING AND STATISTICS

The federal *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* requires colleges and universities to publish and distribute an annual security report containing policies and procedures as well as campus crime statistics. The Campus Safety Report includes statistics for the previous three years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by Hofstra University; and/or on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security such as policies on alcohol and drug use, crime prevention, the reporting of crimes, sexual assault, and other matters. Detailed information on campus security is available by accessing the Hofstra Web site at http://www.hofstra.edu/pdf/pubsaf_csr.pdf or the U.S. Department of Education's Web site for campus crime statistics at <http://ope.ed.gov/security> or by contacting the Advisory Committee on Campus Safety. The Advisory Committee will provide upon request all campus crime statistics as reported to the U.S. Department of Education. For additional information, please contact the Office of Public Safety at (516) 463-6606.

THE STUDENT CONDUCT PROCESS

1. Complaint

Any member of the University community may initiate a complaint against a student, as soon as possible, after the incident takes place by filing a report with the Department of Public Safety or Office of Residential Programs. You may contact the Dean of Students Office for any assistance you need with filing a complaint. If there are grounds for disciplinary action, the student will be issued a charge letter or a directive requiring them to schedule an infor-

mational meeting with the Assistant Dean for Community Standards or a designated representative. Failure to schedule an appointment within the designated time period and/or keep this appointment will be deemed failure to comply and will carry a \$100 fine. As stated in the student's notice, this will be treated as though the student is "pleading no contest" to the incident/charges and a decision will be made based upon the information received. Students are responsible for following all directives outlined in the Student Conduct Process. Failing or refusing to sign the notification does not absolve the student of the responsibility for following all directives outlined. For documented emergencies and other unforeseen circumstances, a student may request one (1) postponement of his/her appointment time, provided that Dean of Students/the Office of Community Standards Office is notified at least one (1) business day in advance of the scheduled meeting.

2. Informational Meeting

During the informational meeting the student will receive the ACKNOWLEDGMENT OF STUDENT RIGHTS AND CONDUCT PROCEDURES form. This form serves as formal notification of the charges and outlines various resolution options as well as the student's procedural rights. The student will be encouraged to discuss and review information contained in their conduct file, and the allegation(s) being brought against him/her. Students will answer and may ask questions regarding the allegation(s) as well as the student conduct process.

3. Resolution Options

During the informational meeting, the student charged will have the right to choose from the following options:

- A) Accept responsibility for his/her actions and verify that the allegation(s) issued are correct. If this option is chosen, or if no option is selected at the conclusion of the meeting, a hearing officer officer will be assigned to determine the appropriate sanction, and the student will automatically waive his/her rights associated with a hearing. (see "Rights of a Student Charged" listed below); or
- B) Deny responsibility for the allegation(s) and request that an administrative hearing board be convened to review the case; or
- C) Deny responsibility for the allegation(s) and request that a student hearing board be convened to review the case. (This option may be selected only during the academic year when the student hearing board is in session.) NOTE: The Office of Community Standards reserves the right to assign cases directly to the Administrative Hearing Board.

4. Rights of a Student Charged

If an administrative or student board hearing is conducted, a student charged with a violation has the following rights:

- A) The student shall be informed by the Office of Community Standards, in writing, of the date, time and place of the hearing. The student shall be allowed a reasonable amount of time (approximately five (5) calendar days) to prepare their statement and secure supporting information. The student may choose to waive the five (5) days of preparation in order to expedite the hearing process.
- B) The student charged with an offense shall have the right to speak for himself/herself, to present witnesses, to challenge the evidence, and to question both the accuser and the witnesses if either/both appear. If not, the student charged may challenge any written statements that were submitted. A student may, upon request, receive a written list of all witnesses mandated to attend the hearing. The student charged may call upon witnesses to speak on his/her behalf. A written list of these witnesses or any signed witness statements must be submitted to the Office of Community Standards for final approval at least two (2) business days prior to the hearing. It is the student's responsibility to notify his/her witnesses of the time, date and place to appear. Witnesses summoned by the Office of Community Standards are subject to a \$100 fine if they do not appear as directed to testify.
- C) The student charged may review evidence, documents and reports pertaining to the incident prior to the hearing, by making an appointment with an authorized, designated University official from the Dean of Students Office. Should the student charged have any additional evidence in the form of pictures, documents or other written materials that he/she would like to present as evidence, he/she must submit these materials to the Office of Community Standards for approval at least two (2) business days prior to the hearing. Approval of any additional materials provided by the student charged is at the sole discretion of the University.
- D) The student charged may elect not to appear at the hearing. Absence shall be noted without prejudice, the hearing will be conducted in the student's absence and a decision will be rendered.
- E) The student charged has the right to request the removal of a member of the board with just cause. The student must be prepared to substantiate this contention. Removal of a member of the board may be granted or denied based on the University's determination as to whether or not there is just cause.
- F) The student shall have the right to seek an adviser of his/her choice, who may help the student prepare for the hearing, but may not speak on behalf of the student. Written notification of an adviser and an

executed “Adviser Form” must be submitted to the Office of Community Standards at least one (1) business day prior to the hearing. Adviser substitutions may be made after this point but only if a previously submitted “Adviser Form” is on file.

- G) The student shall be entitled to one (1) adjournment with just cause, as long as the request is made at least one (1) business day prior to the hearing. The Office of Community Standards will determine if an adjournment is warranted. Adjournments cannot be made to accommodate the schedule of an adviser or other student witnesses. Any additional adjournments may be granted or denied at the University’s discretion.

5. Rights of the Complainant

The complainant in all cases is Hofstra University. Therefore, in cases brought to Hofstra by a student, the accusing student shall not have:

- A) The right to question the defending student; or
- B) The right to be present at the hearing when not directly testifying; or
- C) Access to the outcome of the proceedings, except as provided below.

Note: The final results of a disciplinary proceeding involving a crime of violence or a non-forcible sexual offense may be disclosed to the accusing student, as determined by the Office of Community Standards. In the case of sexual assault, the victim has the right to have an adviser present when testifying, and to be informed of the outcome of the disciplinary proceeding as well as relevant sanctions or bans placed on the student charged. (For more information on the University policy regarding sexual assault, please see Hofstra University’s Sexual Assault Policy and/or contact the Dean of Students Office, x3-6913.)

6. Hearing Process for Administrative and Student Hearings

- A) The usual format of a hearing is as follows:
 - 1. Cases will be introduced, allegation(s) read, and the appropriate oaths issued by the chairperson or designated representative of the student board.
 - 2. Opening statement by student charged.
 - 3. Questions for the student charged from members of the board.
 - 4. Statement(s)/report(s) from witness(es) on behalf of the University.
 - 5. Questions for the University witness(es) from members of the board.
 - 6. Questions for the University witness(es) from student charged.
 - 7. Statement(s) from witnesses on behalf of the charged student. (No character witnesses are allowed. The acceptance and validity of witnesses and written statements are to be determined by the hear-

ing officer. The University reserves the right to call appropriate University members to serve as witnesses and/or to offer relevant testimony to the case.)

8. Questions for student's witness(es) from members of the board.
9. Questions for student's witness(es) from student charged.
10. Final questions for the student charged from members of the board.
11. Closing statement from student charged.

Note: During the hearing, statement reports are provided verbally. If a witness or charged student is absent, written statements pre-approved by the Office of Community Standards will be entered into the record by the hearing officer.

- B) Responsibility will be established based on a preponderance of evidence. Only evidence presented at the hearing shall be considered.
- C) Hearing boards are empowered to determine responsibility for an incident. The Assistant Dean for Community Standards or designee will review outcomes of the hearing board and apply the appropriate sanction(s).
- D) Final sanctions determined by the Assistant Dean for Community Standards or designee will take into consideration the student's prior disciplinary involvement/sanctions as well as the severity of the current violation.
- E) The Office of Community Standards shall communicate to the student, in writing, the decision and appropriate sanction(s). It is the student's responsibility to pick up the written notification of the details pertaining to the hearing from the Office of Community Standards.
- F) Once a student receives the decision letter, he/she may choose to appeal the sanction(s) imposed. He/she may request an appeal of the decision by submitting a written petition for an appeal to the Dean of Students Office within seven (7) calendar days after receiving the decision letter. The student is responsible for picking up the decision letter when notified that a decision has been rendered. The letter of appeal must address one of the reasons for appeal, as stipulated in the section of this code titled, "Appeal Procedures for Disciplinary Proceedings".

DOCUMENTING THE HEARING PROCESS

To ensure the integrity of the hearing process and to maintain an accurate record of the proceedings, it is the policy of Hofstra University to tape-record all disciplinary hearings.

Originals or copies of these recordings will not be released, unless pursuant to a lawfully issued subpoena or court order. Under approved circumstances (by the Assistant Dean for Community Standards or designee), students may request to listen to tapes and may take notes on their prior proceedings. The University reserves the right to have a University representative present during the review of taped proceedings. As with other hearing materials, only those directly involved in an appeal (the Dean of Students, Associate Dean of Students or designee, Assistant Dean for Community Standards or designee, the student charged, his/her adviser, hearing board and appellate hearing board) may request to listen to any part of the recording.

**Only the chairperson of the hearing is allowed to tape record the hearing on a University recording device. All other recording and/or cell phone devices are not permitted during the hearing.*

ADVISER'S ROLE IN UNIVERSITY PROCEEDINGS

The student's adviser may help the student prepare but may not communicate on behalf of the student at any time during the course of the proceedings. A student's adviser may attend the hearing and may communicate with the student, both verbally and in writing at all times during the hearing. In addition, the student may request one recess of no longer than five (5) minutes to confer with his or her adviser outside of the hearing room. An adviser is prohibited from addressing the hearing board or witnesses during the hearing process. If an adviser does so, or if the chairperson determines that the adviser's presence is causing a disruption, the chairperson of the hearing board shall give the adviser a verbal warning. If the adviser addresses the hearing board or a witness again and/or continues to cause a disruption, the adviser will be asked to leave the hearing. If an adviser refuses to leave when asked, the hearing will be stopped, Public Safety will be called to escort the adviser off campus, and the student will waive his/her right to be present at the hearing.

APPEAL PROCEDURES FOR STUDENT CONDUCT PROCEEDINGS

I. Grounds for Appeal

A student found responsible for an offense shall have the right to appeal within seven (7) calendar days from receipt of the decision letter, on any of the following grounds:

1. There is new evidence to warrant a new hearing; or
2. His/her procedural rights have been violated; or
3. The sanction(s) is/are too harsh.

The student must submit a written petition for appeal to the Dean of Students supporting one or more of the above grounds. A request on any of

these grounds must clearly explain, in detail, the basis for the appeal. The appeal should be based on documentation and should be limited to an inquiry of the issue or issues raised in the complaint.

If the appeal is deemed adequate, the Dean of Students or designee will decide whether the board shall hear an appeal or if there is sufficient documentation to modify or uphold the original sanction. These decisions are final. In situations where new evidence is introduced, the Dean of Students or designee can decide to re-open the case with the original hearing board. Based on the new evidence heard, the original hearing board can uphold or modify its finding. *Note: The appellate hearing board does not rehear the entire case but reviews arguments and documents that support the original grounds for appeal.*

II. The Appellate Hearing Board

The Appellate Hearing Board consists of:

1. The Associate Dean of Students or designated representative, as chairperson;
2. The Provost or designated representative;
3. Three (3) members of the faculty or administration; and
4. One (1) student appointed by the Associate Dean of Students or designated representative.

Members of the appellate hearing board may be excused at the request of the appealing student or group with just cause. The student or group must be prepared to substantiate this contention. Students whose case is brought before an appellate hearing board have the same rights and must follow the same procedures as those previously outlined for the administrative/student hearing processes.

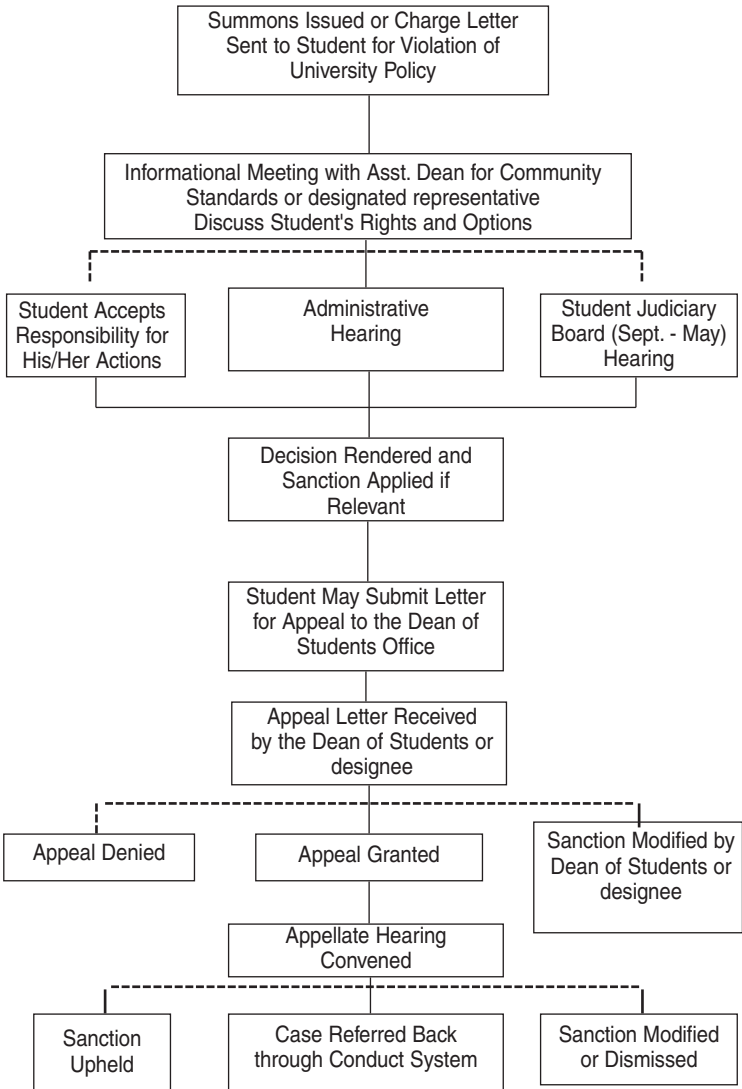
III. The Appellate Hearing

Students may request an appeal according to the following procedure:

1. Students must submit their petition for an appellate hearing to the Dean of Students Office within seven (7) calendar days after a decision or sanction letter has been received.
2. The Dean of Students or designee will decide whether there are grounds to accept the petition for an appeal. If grounds exist, a letter will be sent to the student or organization representative(s) notifying them when the board will convene, and suggesting that they meet with the the Assistant Dean for Community Standards to review their rights and responsibilities and the procedures during an appellate hearing. The student shall have the right to seek an adviser of his/her choice who may help him/her prepare for the hearing, but the adviser is prohibited from speaking on behalf of the student.

3. During the appellate hearing, students or organization representative(s) will have the opportunity to address the board with an opening statement, followed by:
 - A) Questions from the board;
 - B) Testimony from any appropriate witness(es);
 - C) Questions from the board to the witness(es);
 - D) Questions from the appealing student or representative(s);
 - E) Final questions for the student charged from the board; and
 - F) Closing remarks from appealing student.
4. In rendering its decision, the appellate hearing board shall examine the evidence. The board may also hear witnesses to the incident.
5. After examining the evidence and reviewing the testimony, the board can recommend:
 - A) Overturning the original hearing board's decision;
 - B) Modifying the original sanction(s);
 - C) Remanding the case for a rehearing by a different hearing board;
or
 - D) Upholding the original hearing board's decision.
6. The board's decision may be reviewed by the Dean of Students or designee.
7. All decisions based upon the appellate hearing will be communicated to the student in writing. All rulings on appeals are final.

FLOW CHART FOR STUDENT CONDUCT PROCESS



GROUNDS FOR DISCIPLINARY ACTION

Hofstra University developed this Code of Community Standards in an attempt to ensure the rights of individuals in the context of a community. The following is a list of actions that violate community standards. Any student who commits, aids, or attempts to commit any of the following acts on University property or during the course of a University activity is subject to disciplinary action under the Student Conduct Code and/or the Pride Principles.

STUDENT CONDUCT CODE

AIDING AND ABETTING

Aiding or abetting misconduct by others that would be in violation of the rules outlined in the Student Conduct Code, any University Policy and/or of federal, state or local laws. Aiding and abetting includes helping, procuring, or engaging another person to engage in a violation of the Student Conduct Code.

ALCOHOL

Hofstra University expects that all students abide by federal laws and New York state laws on alcohol as well as the University's Statement on Drugs and Alcohol and all related policies as outlined in Residential Programs' "The Living Factor". Students who drink alcohol to excess whether on campus or off campus and require medical attention will be later required to meet with a member of the Dean of Students Office. The following actions violate the University's conduct code regarding alcohol:

- Possessing, consuming and/or distributing any quantity of alcohol while under the legal drinking age; or
- Violating the University alcohol policy in any way (including, but not limited to, the Statement on Drugs and Alcohol and "The Living Factor"); or
- Possessing, consuming and/or distributing any quantity of alcohol in a residence hall suite/room where there is a minor present; or
- Misrepresenting yourself or using another person's identity with the intent to purchase, possess and/or consume alcohol; or
- Acting in a disruptive/disorderly manner, regardless of age, while under the influence of alcohol.

ARSON

Starting an unauthorized fire on University-controlled property or at a University-sponsored event.

ASSAULT

Intentionally or recklessly causing physical injury to a person.

COERCION

Compelling or inducing another person to act in a manner through physical or psychological threats. Examples include, but are not limited to, causing or threatening to physically injure or cause damage to a person or property, accusing a person of a violation of the University policy or causing conduct charges to be instituted against a person without a proper basis, exposing a secret or publicizing information that may subject the person to hatred, ridicule or contempt in order to induce the person to act in a manner.

DAMAGE

A student is responsible for damage to University or personal property when his or her actions result in reduction of the value or usefulness of property or spoil the appearance of such property.

DEFAMATION OF CHARACTER

Causing harm to any student or University official's reputation via defamatory written or spoken statements.

DISRUPTIVE CONDUCT

Acting singularly or in concert with others, in a manner that obstructs, disturbs, interferes or impairs the normal operations, processes and functions of the University, including University classes, departments, facilities, events, representatives, and/or individuals or groups. Failing to follow the policies as outlined by the University or Office of Student Leadership and Activities when planning protests, demonstrations, etc.

DRUGS

Hofstra University expects that all students abide by all federal laws and New York state laws regarding illegal drug use as well as the University's Statement on Drugs and Alcohol and all related policies as outlined in Residential Programs' "The Living Factor". The following actions violate the University's Student Conduct Code regarding drugs:

- Using and/or possessing illegal drugs; or
- Improperly using or abusing over-the-counter drugs or prescription drugs; or
- Manufacturing, distributing, dispensing, and/or selling illegal drugs, including prescription drugs on campus; or
- Aiding and abetting in the sale/distribution/use/possession of illegal drugs, including prescription drugs on campus; or
- Using/possessing drug paraphernalia on campus, including, but not limited to scales, rolling papers, bowls, pipes, bongs, hookahs or any other device that could be used for the purpose of drug use; or
- Knowingly being in the presence of illegal drugs and/or drug paraphernalia/illegal drug use on campus.

FALSIFICATION

Providing any false or misleading information, altering or destroying accurate information on any University record or any record submitted to the University; providing false or misleading information to a University official.

FAILURE TO COMPLY

Failing to comply with a directive/request from a University official or a University/departmental policy. Examples include, but are not limited to refusing to carry out a request by a University official or comply with a sanction, failure to appear at an appointment in the Dean of Students Office when summoned, or failure to appear as a witness after being directed by a University official to appear at a disciplinary hearing.

FIGHTING

Any physical altercation that involves striking, shoving, kicking or subjecting another person to physical contact.

FIRE SAFETY/EMERGENCY

Causing fires or tampering with and/or misusing fire safety equipment/emergency exit doors. Failing to immediately evacuate and/or impeding the orderly evacuation of a building when informed to do so. Possessing any unauthorized open flame devices and/or any other type of device that can potentially cause combustion. Failing to comply with New York state laws on fire safety as well as the University's statement on Fire Safety Guidelines and all related policies as outlined in Residential Programs' "The Living Factor".

FORGERY

Falsifying a written instrument with the intent to defraud, deceive or injure another or to circumvent University procedures/policies. Examples include, but are not limited to writing or instructing another person to write/sign the name of a University official on a University document for the purpose of changing University records or circumventing University procedures.

GAMBLING

Participation in any form of illegal gambling. Gambling refers to unauthorized lotteries, raffles, or other games of chance. These activities are not to be conducted on campus by organizations or individuals. Gambling is not permitted in connection with college-sponsored events on or off campus.

GUESTS/ACTIONS OF A GUEST

A student is responsible for the actions of his/her guest(s) at all times. Should a guest be found responsible for any violation(s) of University policy, the host is also accountable.

HARASSMENT

Making statements or actions that denigrate or ridicule an individual or group because of race, color, religion, ethnicity, sex or sexual orientation, age, national or ethnic origin, physical or mental disability, marital or veteran status. Physically or emotionally threatening or taunting another person. Individuals who have violated the University's Harassment Policy are also in violation of the Code of Community Standards.

HAZING

Individuals who have violated the University's "Rules and Regulations of Hofstra University Regarding Hazing" are also in violation of the Code of Community Standards.

INFRINGEMENT OF RIGHTS

Infringing upon the rights of any other member, guest or department within the University community. This includes, but is not limited to interfering with freedom of movement, freedom of speech and the right to personal privacy.

LEWD/INDECENT BEHAVIOR

Intentionally exposing intimate parts of his/her body in a public place, or in private premises under circumstances in which he/she may readily be observed. This includes, but is not limited to, urinating or defecating in places other than appropriately designated areas.

PERJURY

Misleading a hearing board, investigation team or conduct officer through false or inconsistent written or verbal statements.

RECKLESS DRIVING

Operating a motor vehicle on University property in a manner that causes or might potentially cause physical harm to an individual or property; or operating a motor vehicle while impaired or intoxicated.

RECKLESS ENDANGERMENT

Engaging in conduct that creates a substantial risk of serious physical injury to another person or to oneself.

SEXUAL ASSAULT

Individuals in violation of the University's Sexual Assault Policy are also in violation of the Code of Community Standards.

SOLICITATION

Disseminating information door-to-door and/or distributing/providing or inviting someone else to distribute/provide pamphlets, advertisements or

other goods or services to members of the University community without the approval of a University official or in places that are not approved for such distribution.

THEFT

Taking something that is not yours without the expressed consent of the owner. Using services without paying for those services and/or without receiving proper consent for use of those services. Examples include, but are not limited to, intentionally writing/cashing bad checks on campus.

UNAUTHORIZED ENTRY/EXIT

Improperly entering or exiting the campus or a room/building/area/vehicle. Entering or remaining in a restricted area/building/academic room without appropriate permission or after the hours when the building/area is closed.

UNAUTHORIZED POSSESSION

Possessing or using property without the knowledge and/or consent of the owner.

UNRECOGNIZED GROUPS

Participating as a member of a group that has been denied recognition by the University, suspended by the University, or that has never sought recognition from the University. (see guidelines concerning Unrecognized Organizations.)

VANDALISM

Intentionally or recklessly damaging the property of the University or of another individual.

VERBAL/WRITTEN ABUSE

Using abusive, obscene and/or profane language or speaking in a way that is inconsistent with the Code of Community Standards of Hofstra (see Pride Principles).

VIOLATION OF A BAN

A student is strictly prohibited from entering any area and/or building from which they have been banned or removed by the University. A student is also prohibited from hosting a banned student/individual.

VIOLATION OF ID POLICY

Using/possessing someone else's identification, allowing someone else to use/possess your identification or otherwise providing false identification. Examples include, but are not limited to, failing to produce identification when asked by a University official, failing to properly swipe into a build-

ing/area, or failing to show proper Hofstra identification when entering a University facility where identification is required.

VIOLATION OF SECURITY POLICY

Acting in a way that compromises the security of University community members or facilities. Examples include, but are not limited to, propping doors of University buildings and/or facilities, or failing to follow University or residence hall security guidelines.

WEAPONS AND EXPLOSIVES

Students are prohibited from possessing, using, storing or transporting firearms, weapons, fireworks, incendiary devices, ammunition, chemicals that are explosive in nature and/or any other instrument which has the potential to injure or harm a person/property regardless of intent. These types of items include, but are not limited to: knives, brass knuckles, switch-blades, swords, BB guns, paintball/pellet guns, mace, pepper spray and box cutters.

SANCTIONS

Disciplinary actions include, but are not limited to, one or more of the following sanctions:

Disciplinary Warning

A disciplinary warning is issued to a student for a specific period of time for violating University regulations. Disciplinary warnings notify the offender that subsequent violations will warrant more serious disciplinary action.

Educational Sanctions

In certain instances where punitive measures are inappropriate or inadequate, an educational sanction may be imposed. This sanction is designed to help educate the student toward responsible behavior. These sanctions may include, but are not limited to, a written apology, educational assignment/paper, task-oriented community work, volunteer services and/or awareness workshops.

Fines and Restitution

Fines may be levied against students who have violated University policy. Students are responsible for all fines levied against them for violating University policy. The Office of Student Accounts will be notified when fines are levied. A student's failure to pay fines may result in a hold being placed on the student's account, the student's account being sent to a collection

agency and/or legal action taken to recover such fines. In addition, restitution may be imposed to recover losses experienced by the University.

Disciplinary Probation

Probation is issued to a student for a specific period of time. Disciplinary probation is a more serious sanction than a warning. It is a period of review and observation during which the student must demonstrate the ability to comply with University rules, regulations and other requirements stipulated for the probation period. It may limit certain activities or privileges of a student. Students who violate their probation may face sanctions more punitive in nature.

Residence Hall Relocation

As a result of this sanction, the student is required to vacate his/her current room assignment, and is relocated to another Residential Programs facility determined by the assistant dean for Community Standards or a designee. The student is responsible for all fees associated with this relocation. For example, a student relocated to a single room from a double room is responsible for the difference in cost.

Residence Hall Removal and/or Ban

The student's room license agreement is voided and the student is required to vacate the residence facilities. In addition, a ban from residential facilities may be imposed for the duration of the removal and/or ban. The student's housing sticker must be relinquished to the Dean of Students Office. Housing deposits and/or payments will be forfeited as a result and the student is responsible for paying all unpaid residence hall fees. The failure of the student to pay all fees incurred may result in the University taking legal action to recover such amount.

University Suspension

The student is separated and banned from the University for a specific or indefinite period of time. Such period may begin during or at the close of a semester. The student may be readmitted at the end of the specified period. All tuition and fees are forfeited and the student is responsible for paying all unpaid tuition and fees. The failure of the student to pay tuition and fees incurred may result in a hold being placed on the student's account, the student's account being sent to a collection agency and/or legal action taken to recover such fines. A condition of readmission may be imposed, e.g. counseling. All privileges, including campus visitations, are revoked.

Deferred Suspension

A deferred suspension from the University or the residence halls may be

imposed due to severe extenuating circumstances. The suspension will begin at a specified date as determined by the Dean of Students Office. This sanction may be utilized only after review by the Dean of Students or designated representative.

Ban

A Hofstra student or non-Hofstra student may be restricted from the University, particular areas of the University, or University events, as a result of inappropriate behavior. A Hofstra student who violates his/her ban will be subject to further disciplinary action, arrest and prosecution; a non-Hofstra student who violates a ban will be subject to arrest and prosecution for criminal trespass.

Summary Action

In certain instances where a student has been charged with changing official records, stealing, physical assault, or other serious acts that may constitute a threat to the safety and well-being of University students, personnel or property, the Dean of Students or designated official has the discretionary power to summarily relocate or suspend a student's residence hall privileges. The student's Residential Living Agreement is voided and he/she is required to vacate. The student may be suspended, banned, expelled, or requested to withdraw from the University until a hearing may be adjudicated.

Expulsion

The student is permanently separated and banned from the University without opportunity for readmission. All tuition and fees are forfeited and the student is responsible for paying all unpaid tuition and fees. The failure of the student to pay tuition and fees incurred may result in the University sending the student's account to a collection agency and/or the commencement of legal action to recover such amount. Note: A student and/or organization found responsible for violating the Code of Community Standards may receive one or more of a variety of sanctions tailored to the specific violation(s). Individual mitigating circumstances, as well as aggravating factors, such as past misconduct by the student and/or organization, or failure to comply with previously imposed sanctions, shall be considered when determining the level and scope of the sanction. Generally, a student who is found responsible for additional offenses will be subject to more severe sanctions.

MINIMUM SANCTIONS

Certain violations of regulations may constitute a serious threat to other individuals and/or the community. For the following breaches of University policy (but not limited to), a minimum penalty of suspension, including summary suspension, from the University (including the residence halls) for

at least one full semester to permanent expulsion may be imposed:

1. Conduct in violation of New York state criminal law or federal law, which poses a serious threat to the University community, including, but not limited to, distribution or possession of illegal drugs, theft of University or personal property.
2. Serious physical attacks upon another person.
3. Willful or malicious damage or defacement of University property or property of another individual.
4. Possession of firearms, explosives or any type of weapon as defined in the Student Conduct Code “Weapons and Explosives”.

STUDENT ORGANIZATIONS

Student groups and organizations may be charged with violating the “Code of Community Standards.” A student group or organization and its officers may be held collectively and/or individually responsible when violations occur. Organizations should refer to the “Code of Community Standards for Organizations” for more information. Sanctions for group or organization misconduct may include revocation or denial of registration or recognition, in addition to all appropriate sanctions provided herein. Student groups and organizations have the same rights and may appeal sanctions as described in this code for individuals. For more information, please refer to specific policies and constitutions governing student organizations and fraternity and sorority affairs.

GUIDELINES CONCERNING UNRECOGNIZED ORGANIZATIONS

A. RECOGNITION OF STUDENT GROUPS AND ORGANIZATIONS

1. Students interested in creating a club or organization may petition the Student Government Association.
2. Students interested in forming a chapter of a fraternity or sorority may petition the Greek Advisory Board.
3. Students interested in affiliating with an academic department (i.e., Golden Key) may petition that particular department.
4. Authorization to function as a student group will be determined by the Dean of Students Office.

B. UNRECOGNIZED GROUPS

Actions that will result in being charged as an unrecognized group include, but are not limited to:

1. Wearing or displaying the insignia, name or crest of the unrecognized organization; or

2. Affiliating the group with Hofstra University or using Hofstra's name or marks without Hofstra's written permission either in literature, on the Internet, or to an outside source (i.e., restaurant, catering establishment, etc.); or
3. Pledging, initiating, receiving or recruiting new members into the unrecognized group; or
4. Utilizing University services in the name of an individual or group for use by the unrecognized group.

All groups that fail to gain recognition will be unable to gain access to any University facilities and services in the name of the group. This extends to participation in intramural and recreational programs under the name of the unrecognized group or under a pseudonym where 50 percent of the individuals are members of an unrecognized group. In this case, the Director of Recreation and Intramurals shall disband the team and disqualify it from further competition.

VIOLATION OF NEW YORK STATE LAW AND REPORTING VIOLATIONS

The University reserves the right to report certain acts of misconduct performed on University property to the appropriate civil authorities, including criminal conduct in violation of the laws of the state of New York or federal statute.

FELONIES

Felonies committed on campus may be reported to civil authorities. In addition, regardless of the location of the incident or the identity of the victim, if a Hofstra University student is charged with a felony, the University, if it determines it is appropriate to do so to protect the health, safety and welfare of the accused student and/or the Hofstra community, reserves the right to summarily suspend the student. The University reserves the right to take action under the Code of Community Standards prior to the disposition of any action that may result from criminal proceedings. Disciplinary action at the University may normally proceed during the pendency of criminal proceedings, and will not be subject to challenge on the grounds that criminal charges involving the same incident have been dismissed or reduced or that no criminal charges have been brought.

RESTITUTION DISPUTES

In student disputes involving restitution for damage or loss of personal property, telephone bills and other living expenses, the Dean of Students

Office shall address wrongful behavior with appropriate disciplinary action when necessary, but shall not act as an agent of any student in settling a monetary claim. Students who seek restitution are advised to attempt to collect from those responsible and, if they are unable to resolve the matter, they should contact the police or refer the matter to an attorney for adjudication.

STATEMENT ON DRUGS AND ALCOHOL

DRUGS

1. **Standard of Conduct**

Possession, use and/or distribution of unprescribed and/or illegal controlled substances, prescribed medical drugs that were unlawfully obtained or are being unlawfully or abusively used, and related paraphernalia are strictly prohibited on any area of campus. In addition, the abusive or unlawful use of over-the-counter drugs is strictly forbidden. Any violation of this policy is also considered a violation of the Student Conduct Code.

2. **University Sanctions**

Students who possess, use and/or distribute illegal drugs, prescribed medical drugs that were unlawfully obtained or are being unlawfully used, or drug paraphernalia on Hofstra University property will be subject to a minimum sanction of disciplinary warning and mandatory attendance at an educational seminar. Repeat offenders may face more severe penalties, including automatic suspension and/or removal from the residence halls. Students who distribute controlled substances or possess such substances with the intent to distribute will be subject to a minimum sanction of suspension from the University and could face expulsion from the University.

3. **Local, State and Federal Laws**

In addition to sanctions imposed by the University, drug violations may be referred to the appropriate external authorities. Under local, state and federal laws, such as the New York State Penal Law and the Federal Controlled Substance Act, violations as specified above may result in penalties ranging from fines through imprisonment. A list of penalties for federal drug offenses can be found on the U.S. Drug Enforcement Administration's Web site at <http://www.dea.gov/agency/penalties.htm>. If a student is convicted of a drug-related offense under local, state or federal law, financial aid will be revoked for a specified period of time.

4. **Health Risks**

The health risks caused by drug use vary depending on the drug involved. Studies have shown that marijuana contributes to sterility in men, destroys brain cells and leads to diseases associated with cigarette smoking. The use of cocaine or any cocaine-based substance may cause heart failure, erratic behavior, personality changes, birth defects, loss of

appetite, paranoia and mood swings. The use of drugs without a doctor's supervision may also cause serious health difficulties. In addition, the abuse of any substance can adversely affect relationships, employment, academic and athletic performance and self-esteem.

5. Treatment

The University provides confidential counseling services to students. Student Counseling Services is located at the Saltzman Community Services Center and can be reached at (516) 463-6793. Counseling Services personnel will provide referrals to both in- and outpatient treatment facilities in the vicinity of Hofstra.

ALCOHOL

1. Standard of Conduct

Possession, distribution, use and/or consumption of alcohol by students under 21 years of age is strictly prohibited on campus. The operation of a motor vehicle by a driver who is legally impaired or intoxicated (reckless driving) is also prohibited. In addition, consumption of alcohol and/or possession of open containers of alcohol by any student in public areas, such as hallways, lounges, parking lots, the Mack Student Center, athletic fields and at athletic events without express authorization from the Dean of Students Office is not permitted. No alcohol is permitted at Greek rush events. When alcohol is authorized to be served at an event on campus, no person shall be sold or served alcohol who a) is or appears to be intoxicated, or b) is under the legal drinking age of 21. When alcohol is authorized to be served at an event on campus, nonalcoholic beverages and food must also be made available. Any violation of this policy is also considered a violation of the Student Conduct Code.

2. University Sanctions

Students who violate any of the above alcohol regulations will be subject to a minimum penalty of a disciplinary warning. Subsequent offenses will result in more serious action.

3. Local and State Laws

In addition to sanctions imposed by the University, alcohol violations may be referred to the appropriate external authorities. Under local and state laws, such as the New York State Penal Law, Vehicle and Traffic Law, and Alcoholic Beverage Control Law, violations may result in penalties ranging from fines through suspension of a driver's license and possible imprisonment.

4. Health Risks

Use of alcohol may result in mood changes, impulsive actions, loss of judgment and loss of coordination. Excessive use of alcohol may cause heart damage, liver damage, damage to the digestive tract, cancer, brain damage, mental disorders, loss of sexual function, blood disorders and

birth defects. Also, long-term alcohol use may affect relationships, employment, academic and athletic performance, and self-esteem. Students will be held completely responsible for any violation of University policy while under the influence of alcohol.

5. **Treatment**

The University provides confidential counseling services to students. Counseling Services is located at the Saltzman Community Services Center and can be reached at (516) 463-6793. Counseling Services personnel will provide referrals to both in- and out-patient treatment facilities in the vicinity of Hofstra. The foregoing is provided in compliance with section 1213 of the Higher Education Act of 1965, as amended by the Drug-Free Schools and Communities Act Amendments of 1989 [20 U.S.C. 1145g].

BIAS CRIME PREVENTION POLICY

The following policy is sanctionable under the Code of Community Standards.

Bias Crimes, also called hate crimes, are criminal acts involving violence, intimidation, and destruction of property based upon bias and prejudice. Victims of hate crimes are intentionally selected, in whole or in part, because of their race, color, religion, sex, sexual orientation, age, national or ethnic origin, physical or mental disability, marital or veteran status. Crimes motivated by invidious hatred toward particular groups not only harm individual victims but send a powerful message of intolerance and discrimination to all members of the group to which the victim belongs. New York State Penal Code, specifically the “Hate Crimes Act of 2000,” subjects hate crimes to prosecution and severe punishment.

Bias incidents involve behavior that is motivated by bias based on race, color, religion, sex, sexual orientation, age, national or ethnic origin, physical or mental disability, marital or veteran status. These incidents do not involve criminal conduct such as assault, threats or property damage. However, bias incidents, such as racial slurs, may escalate from mere words to threats and ultimately to violence. Bias incidents may not violate the law, but may violate University policy prohibiting harassment and discrimination (see Harassment as defined in the Student Conduct Code). A Hofstra student who is found to have committed a bias-related crime is subject to disciplinary action that can include probation, suspension or expulsion. Any student charged with a bias-related felony is summarily suspended from Hofstra University pending the adjudication of those charges.

Educational Programs

Educational programs to promote the prevention of bias-related crime are conducted for first-year students during New Student Orientation and in the residence halls throughout the academic year. These programs are open to the entire Hofstra community. Other programs on bias-related crime are offered throughout the year. For additional information, please contact the Dean of Students Office, (516) 463-6913. If you believe you have been a victim of a bias-related crime, contact Public Safety and/or the Dean of Students Office. They will provide you with the following information:

- Counseling services that are available, both on and off campus.
- Medical services that are available, both on and off campus.
- Options that are available regarding reporting the case to the proper authorities, both on campus and local police.
- Assistance will be provided in notifying these authorities if such assistance is requested.

For additional information, please refer to the Public Safety section of the *Guide to Pride* or call (516) 463-6606.

FIRE SAFETY GUIDELINES

Hofstra University policies relating to fire safety are in accordance with New York state law and Nassau County ordinances. Our primary concern is the safety and well-being of the members of our community and as such, new policies have been created and existing policies have been modified to ensure that Hofstra University provides a safe environment and is in compliance with all New York State Fire Codes and those of the Nassau County Fire Marshall's Office. Students must comply with the specific policies listed below as well as all other policies listed in "The Living Factor," Hofstra University's guide to residential living. In addition, as per the current New York State Fire Code (NYSFC), information and training related to fire safety must be presented to all students enrolled in higher education on an annual basis. Any violation of these guidelines is also considered a violation of the Student Conduct Code.

1. Door chocking (propping):

A door leading out to a main hallway (common area), used as fire and/or smoke door, should not be chocked (propped) open, blocked or obstructed to prevent the normal self-closing operation of said door. [ref; NYSFC F-703.2]

2. Electric Wall Outlets:

All electric cords from devices must be plugged directly into a wall outlet or an approved surge protector strip. All surge protector strips must be plugged directly into the wall outlet. No extension cord(s) are permitted in residential halls. Furniture should not obstruct a wall outlet as to prevent an electrical plug from easily being removed from the outlet (without first moving the furniture). [ref; NYSFC F-605.5]

3. Items Suspended From Ceilings and Walls:

No items shall be suspended from the ceiling or within 24” of the ceiling as to obstruct or cover lighting, smoke detectors and/or sprinkler heads. [ref; NYSFC - 901.6 and 805.1 and 315.2.1] No decorative, holiday or theme lighting shall be placed/hung on or around doors.

4. Decorations:

No tapestries or fabric items (including flags) shall be placed on the ceilings or walls of any room. Wall coverings may include pictures and posters, but may not exceed 50 percent of total wall space. Tapestries and or fabric items shall not be placed in common areas (including door-mats). [ref; NYSFC 304.1] No window curtains or valances are permitted to be hung in rooms/suites/ apartments unless they are flame-retardant.

5. Natural Cut Trees:

No natural cut trees of any sort shall be erected in the common or living space of any residence hall [ref; NYSFC 804.1.1] All students must fully comply with all fire safety regulations. Violations may result in monetary, educational, and/or conduct sanctions.

6. Candles/Incense:

No candles (including those used for “decoration only”), incense or anything that burns, are permitted in residence halls.

7. Smoking:

Hofstra University is a smoke-free environment. There is no smoking or lighting of smoking-type products in any residence hall/room or facility on the Hofstra University campus.

8. Malicious False Alarms:

The alteration and/or destruction of fire safety equipment affects the safety of all members of the Hofstra community. Malicious damage to any fire safety equipment, including fire extinguishers, exit signs, fire doors, emergency lighting and/or the activation of a fire pull station (when the threat of fire is not present), is a crime, is not tolerated at Hofstra University and will be processed to the fullest extent of the law. All students must comply fully with all Hofstra University fire safety regulations. Violations may result in monetary, educational, and/or conduct sanctions.

RULES AND REGULATIONS OF HOFSTRA UNIVERSITY REGARDING HAZING

The state of New York has enacted a law that requires the University to file its rules and regulations relating to the subject of “hazing” with the Regents and the Commissioner of Education. The following rules and regulations regarding hazing are hereby adopted by the University and that the same be filed with the Regents and the Commissioner of Education and be disseminated among the University community. Hofstra University recognizes that membership in a fraternity/sorority or other campus organization (herein collectively referred to as an “organization”) can be a meaningful experience in conjunction with other aspects of the educational process. Unfortunately, however, membership or prospective membership in an organization is sometimes accompanied by a wrongful activity commonly known as “hazing.” Hazing is a violation of the Penal Law and other laws of the state of New York as well as the general regulations of the University. Accordingly, the University hereby reaffirms its policy that it will not condone hazing of any kind. To this end, any student, faculty member, staff member, visitor, licensee or invitee who engages in hazing may be removed from the campus and, where appropriate, shall be subject to suspension, expulsion or other disciplinary action. Similarly, the University may take any or all of the following actions against any organization that authorizes hazing or those members (whether individually or in concert) who engage in hazing: rescind permission for the organization to operate on campus property, rescind recognition of the organization, and prohibit the organization from using the University’s name in any manner.

Hazing has been defined as generally including, among other things:

1. Any action or situation that recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization.
2. Any other act or series of acts that cause or are likely to cause mental or physical harm or danger.
3. Mistreatment by playing stunts or practicing abusive, humiliating or ridiculous tricks that subject an individual to personal indignity, humiliation or ridicule.
4. Harassment by exacting unnecessary, disagreeable, or difficult work or harassment by banter, ridicule or criticism. Some examples of such prohibited activities are:
 - a. Abnormal or unusual dress holding the wearer up to ridicule, e.g., extraordinary headwear, costumes, underwear, body painting, etc.
 - b. Performing unusual or abnormal acts, e.g., dancing on tables, standing at attention, standing on windowsills, blindfolding, etc.

- c. Excessive or unusual physical activities, e.g., crawling, duckwalk, push-ups, sit-ups, skipping, hopping, squatting, etc.
- d. Verbal or written harassment or abuse, e.g., yelling, making demeaning remarks, etc.

Violations of any of the foregoing prohibitions are also considered violations of the Student Conduct Code and shall be dealt with by the University as follows:

1. In the case of any individual or group that is not a member of the University community: The authorization for such individual or group to remain on University property will immediately be revoked; and if the individual or group thereafter refuses to leave University property, necessary and appropriate action will be taken to remove such person or group from the University property. In addition, the University may, at its sole discretion, take all necessary and appropriate action to prevent any such individual or group that engages in hazing from reentry University property.
2. In the case of a student: The student shall be requested to cease and desist from such prohibited conduct and, if he/she fails to do so, necessary and appropriate action will be taken to restrain and remove such student from University property. In addition, disciplinary proceedings shall be commenced, pursuant to the Code of Community Standards, against any student who engages in hazing. In accordance with those procedures, the penalties of suspension, expulsion or other disciplinary action may be imposed.
3. In the case of a non-student member of the Hofstra community: The person shall be requested to cease and desist from such prohibited conduct and, if he/she fails to do so, necessary and appropriate action will be taken to restrain and remove such person from University property. In addition, charges shall be brought, in accordance with appropriate University policy, against any non-student members of the Hofstra community who engage in such inappropriate conduct. Appropriate disciplinary action will be imposed in accordance with University approved procedures.
4. In the case of an organization: The organization shall be requested to cease and desist from such prohibited conduct and, if the organization fails to do so, necessary and appropriate action will be taken to eject such organization from University property. In addition, charges shall be instituted pursuant to the disciplinary procedures of the University against any organization that authorizes or engages in hazing. A hearing shall take place and, to the extent applicable, those procedures shall be followed. In addition to the penalties set forth in those procedures, the penalties of temporary or permanent rescission of permission for the

organization to operate on campus property and temporary or permanent rescission of use of the University's name in any manner by such organization may be imposed.

5. Whenever, in the opinion of the Dean of Students or the designated representative, the conduct of any individual or organization poses an imminent threat to the physical or emotional safety of himself/herself or others or to property, the Dean of Students or the designated representative may immediately suspend such individual or organization and/or eject such individual or organization from the campus pending an appropriate hearing and final determination.
6. In addition to the foregoing, the University reaffirms its right to utilize and seek the aid of public authorities and such judicial, civil and criminal processes and proceedings, at the discretion of the University, as may be necessary and appropriate. Any penalty imposed by the University shall be in addition to any penalty pursuant to the Penal Law or any other law to which a violator or organization may be subject.
7. The foregoing rules and regulations shall be part of the bylaws of all organizations operating on the University's campus. Every organization shall annually review its bylaws with all individuals affiliated with such organization.

SEXUAL ASSAULT POLICY

Hofstra University urges you to read and understand the following information. Acts of sexual violence, assault or abuse such as rape, acquaintance rape or other forms of nonconsensual sexual activity will not be tolerated at Hofstra University. Such acts are criminal behaviors and create an environment contrary to the goals and missions of the University.

Sexual assault refers to rape, sodomy, sexual abuse and other nonconsensual sex offenses which are serious crimes under New York state law. Rape is committed when any person engages in sexual intercourse by forcible compulsion; or not by forcible compulsion when the victim is physically, mentally or legally incapable of giving consent. Other sexual offenses under New York state law involve unwelcome physical contact with a person's genitals, buttocks or breasts. In all cases, the force need not be overtly violent; the threat of force when it places a person in fear of physical injury or kidnapping may be sufficient. Criminal penalties in New York for all such acts vary according to the circumstances, but can include prison sentences of up to 25 years.

Any violation of the Sexual Assault Policy is also considered a violation of the Student Conduct Code. A Hofstra student who is found to have com-

mitted rape, sexual assault or any other sexual offense is subject to disciplinary action that can include probation, suspension or expulsion. Rape is a felony. Any student charged with a felony is summarily suspended from Hofstra University pending the adjudication of those charges.

It is important for members of the campus community to be aware that there can be serious legal consequences for certain sexual conduct. In a campus setting, sexual assault often occurs when one or both parties are intoxicated from alcohol or other drugs. Therefore, it is important to understand that intercourse or other sexual activity with a person who is unable to give free and full consent (e.g., because of intoxication, substance abuse or intimidation) may constitute sexual assault or rape. Furthermore, the offender's use of a mind-altering substance does not in any way diminish his or her responsibility for physically or psychologically abusive behavior.

Educational Programs

You are the key to your personal safety on campus and in the community. We encourage you to attend educational programs which promote the awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses. Furthermore, programs are conducted for first-year students during New Student Orientation and in the residence halls throughout the academic year. These programs are open to the entire Hofstra community. Other programs on sexual assault are offered throughout the year including: First Year Focus, Domestic Violence Week, Personal Safety Week, Alcohol Awareness Week, etc. The Dean of Students Office is happy to sponsor programs for any student/organization to educate its members on this topic. For additional information please contact the Dean of Students Office at (516) 463-6913.

Crisis Management Team

The Crisis Management Team responds to crisis incidents reported to Public Safety, including incidents of sexual abuse. Members of the team include the following or their designee and will be representative of both genders.

1. Director of Public Safety or designee
2. Dean of Students or designee
3. Director of Student Counseling or designee
4. University Relations, if necessary
5. Legal Counsel, if necessary

The Crisis Management Team will be sensitive to the fact that the survivor of the sexual assault may not want to meet with all members of the team immediately. They will, however, make themselves available to the survivor to provide ongoing services and assistance as needed in any of the following areas:

1. Counseling services are available, both on and off campus.
2. Medical services are available, both on and off campus.
3. Options are available regarding reporting the case to the proper authorities, both on campus and local police.
4. Assistance will be provided in notifying these authorities if such assistance is requested.

IF YOU ARE THE SURVIVOR OF A SEXUAL ASSAULT

Your safety and well-being are of paramount importance. What you choose to do is up to you and the University will respect your choice and will work with you throughout the process. Survivors of sexual assault are encouraged to take the following actions immediately:

1. Go to a place where you feel safe.
2. Contact or have a friend contact Public Safety at (516) 463-6789, Student Counseling Services at (516) 463-6791 (Public Safety will contact Student Counseling Services during non-business hours) or the Domestic Violence Hotline at (516) 542-0404. Male and female personnel will be available to assist you.
3. Medical evidence for use in the prosecution of a criminal offense is collected at the hospital. For this reason, you should not shower, bathe, douche or change clothes. You may need to bring a change of clothes to the hospital in case what you are wearing is collected as evidence.
4. Do not touch any evidence or straighten up the area where the assault occurred.
5. Go to a hospital emergency room. Public Safety or the police will provide transportation, if necessary.
6. Do not blame yourself. The person who assaulted you is responsible.

SURVIVOR'S BILL OF RIGHTS

1. Survivors have the right to counseling, medical treatment, prosecution and reporting of their case through the off-campus court system, as well as the right to refuse all of the above without reproach from University personnel.
2. Survivors will be treated with dignity and seriousness by campus personnel.
3. Survivors of crimes against one's person have the right to be reasonably free from intimidation and harm. During University conduct proceedings, survivors have the right to provide testimony at a separate location from the student charged, if requested.
4. University personnel shall be encouraged to inform a survivor that they are not responsible for crimes against their person.
5. Survivors shall be made aware of existing counseling and other student services that are available, both on and off campus.

6. Survivors shall be entitled to the same support opportunities the University permits the accused in a campus disciplinary proceeding, which includes the opportunity to have others present during a disciplinary proceeding such as an adviser (for further details, see section 5 of the “Student Conduct Process” in Hofstra University’s Code of Community Standards).
7. Both the survivor and the accused shall be informed of the outcome of any disciplinary proceeding brought alleging a sex offense. This includes the final determination of the proceeding and any sanction imposed against the accused. The sanctions that may be imposed are detailed in the Hofstra University Code of Community Standards.
8. Any survivor who does not wish to remain in his or her present residence hall or class section may be granted a transfer to any available housing or class section, upon request, if reasonably available.

PHONE NUMBERS

Hofstra University Public Safety	(516) 463-6789
Hofstra University Dean of Students Office/ Office of Community Standards	
	(516) 463-6913
Hofstra University Orientation and New Student Programs	(516) 463-6320
Hofstra University Student Counseling Center	(516) 463-6791
Hofstra University Residential Programs	(516) 463-6930
Nassau County Sexual Assault Hotline	(516) 222-2293

COMPUTER NETWORKS ACCEPTABLE USE GUIDELINES
Responsibilities of All Hofstra Computer and Network Users

Access and use of computing and networking resources at Hofstra University are privileges extended to members of the Hofstra community. Access to Hofstra computing and networking resources is limited to authorized users and is for approved purposes only. “Authorized users” is defined as “any member of the Hofstra community who is issued a Hofstra ID card, and CCEPA faculty and students.” “Approved purposes” are those consistent with the law, Hofstra policies, and the broad instructional, administrative and research mission of Hofstra University, and the user’s relationship with the University.

For the purposes of this policy, sensitive information is defined as all information protected by all applicable laws, including, but not limited to, FERPA, Gramm-Leach-Bliley Act (GLBA) and Health Insurance Portability and Accountability Act (HIPAA), as well as information that is considered confidential to the University’s operations.

Hofstra University computer and network resources include, but are not limited to: the computers, printers, networks, modem banks, online and offline storage media and related equipment, software and data files that are owned, managed or maintained by Hofstra University, as well as all networks reached via this campus-wide network, such as the Internet. Also included are any specialized computer resources or services that other Hofstra schools have implemented for the use of their department and/or academic discipline. Use of Hofstra computing resources, even when carried out on a privately owned computer that is not managed or maintained by Hofstra University, is governed by this policy.

Hofstra University's Computer Center provides data network services [known as the HOFSTRA NETWORK] for all organizations within the University. The Computer Center provides centralized computer-related services for instruction, administration and research. Other Hofstra schools may have specialized resources for the use of their department and/or academic discipline.

Each holder of a Hofstra Network account, or of any school or departmental account permitting network access, has the responsibility to use resources referred to above in an ethical and legal manner and agrees to the following as a condition for the use of the account:

- I understand that my access to Hofstra's computing resources and network is for the sole purpose of facilitating my work as a University student, staff member or faculty member.
- I will respect the privacy and reasonable preferences of other users (both at Hofstra and elsewhere on all connected networks), including the privacy of their accounts and data.
- I will respect the integrity and security of the systems and network, and will exercise care to maintain their security.
- I understand that computer accounts are for sole use by the account owner, and I will not share my account with other individuals or use an account assigned to another individual.
- I will take precautions to safeguard passwords and other privileged information to which I have been given access. Any passwords, verification codes or electronic signature codes assigned to me are for my individual use only. I will regard them as personal identifiers of my computer use, similar to my signature on a document.

- I understand that I am responsible for all actions performed from my computer account.
- I will not attempt to monitor other individuals' computer or network use, nor will I attempt to obtain their passwords or any other private information.
- I understand that, in the course of my work, I may be given or otherwise gain, access to confidential or privileged information relating to this or other institutions, or to Hofstra students, employees, or other individuals or groups. I will respect the confidentiality of all information to which I have access, neither divulging confidential information without appropriate consent nor seeking to obtain access to confidential information to which I am not entitled.
- I will not make unauthorized copies of software, or perform unauthorized installations of software or reconfigurations of systems. And any receipt, transmission, use or destruction of software or data must observe U.S. copyright laws, and license restrictions.
- I understand that accessing, altering or destroying any document, file or University records that I do not own or have rights to, is a violation of these policies.
- I understand that my use of computing resources accessed via the Hofstra Network – whether provided by organizations within or outside the University – may be subject to additional norms of behavior or regulations specific to the resource, which I agree to follow.
- I understand that my account is intended for the sole purpose of facilitating my research, educational, clinical, administrative, or other authorized goals. I may not use the Hofstra University computer resources to solicit sales, conduct business, download/share copyrighted materials, advertise or sell a service, or use the system for any illegal activities. This applies to the use or application of any University resources, such as, but not limited to, Internet access or e-mail through my personal computer.
- I understand that the Hofstra Computer Center must authorize connecting a personal computer or device to the Hofstra University Network.
- I may not engage in activities that damage or disrupt communications, hardware devices or software applications, such as but not limited to, virus creation and propagation, circumventing system protection mechanisms, playing games in the labs and/or overloading the network with excessive data.

- I understand that while I am a student, I have an advertisement-free Hofstra Gmail account with the use of Google Applications. I also understand that once I am no longer a student, I will retain my Hofstra Gmail account, and advertisements will be included in the service.

I agree I will abide by these guidelines and any updates posted at www.hofstra.edu/SCS/aug.

ACCEPTABLE USE OF THE HOFSTRA NETWORK

Use of Hofstra University computing resources by unauthorized individuals is strictly prohibited. Although the University does not as a matter of policy monitor the system for content, you should be aware that in special circumstances and for limited purposes, the University may examine certain files and archives. In addition, the University may be compelled to respond to subpoenas and other legal demands for information about system usage. Therefore, users should not have an expectation of complete privacy.

Please also be advised that the University requires compliance with applicable federal, state and local laws, including copyright, export and re-export laws, as a condition to system use. Except as expressly permitted, users shall not alter, delete or modify any attributions included within any hosted services. Users further agree not to engage in any activity that interferes with or disrupts the services, servers or networks provided. Google e-mail account users shall comply with the terms and conditions set forth by Google in connection with those e-mail services.

The programs you can access on the Hofstra Network may contain CONFIDENTIAL information protected by various federal, state and local laws, including, but not limited to, the Family Educational Rights and Privacy Act (FERPA), the Financial Services Modernization Act of 1999 (Gramm-Leach-Bliley), Health Insurance Portability & Accountability Act (HIPAA), and the New York Education Laws. All users are cautioned to take appropriate measures to protect the privacy and integrity of this information and to refrain from engaging in any misuse or unauthorized disclosure of this information.

POLICY VIOLATIONS

Violators of the policies outlined in this document or in addenda at the *Hofstra University Acceptable Use for Computing Policy* Web site, www.hofstra.edu/scs/aug, may find their network access disabled, with no prior warning, until sufficient safeguards have been put in place to ensure that no further violations occur. The University reserves the right to disconnect individual machines or sub-networks of the HOFSTRA NETWORK in order to preserve the smooth functioning and security of the network as a whole.

It is the responsibility of all network users to accept full responsibility for use of their accounts and machines. Users of the Hofstra Network agree to preserve their sole individual use of their accounts by not sharing them with other individuals, by maintaining secret passwords, by changing passwords frequently, and by selecting passwords that are difficult to guess or decrypt.

PROCEDURES FOR POLICY VIOLATIONS

Violations include, but are not limited to:

- Sharing network IDs and passwords (providing unauthorized use of network services)
- Chain e-mail or hoaxes
- Harassment of others using electronic communication systems
- Tapping phone or network transmissions
- Software piracy
- Privacy violations
- Sharing copyrighted materials
- E-mail bombing or spamming
- Commercial use of University resources
- Illegal activities as set forth in federal, state and local laws and statutes

Violations of the “Acceptable Use Guidelines” will be adjudicated, as appropriate, by Public Safety, Residential Programs, Student Computing Services or the Office of Community Standards. Sanctions as a result of major violations may result in any or all of the following:

- Loss of Hofstra University computing privileges
- Disconnection from the HOFSTRA NETWORK
- University sanctions as outlined in the *Code of Community Standards*
- Monetary reimbursement or other appropriate fines
- Prosecution under applicable civil or criminal laws

Major violations include:

- Second offense of a minor violation (listed below)
- Hacking or attempting to circumvent security on another computer
- Cracking or attempting to violate security on copyrighted materials
- Intentional computer virus/worm propagation
- Distribution or soliciting copyrighted materials
- Electronic harassment of any kind, including but not limited to voice, e-mail, electronic chats, instant messaging, Web pages, etc.
- Using network resources to solicit sales, conduct business or advertise a service
- Any violation of federal, state and/or local laws using Hofstra University computer network or telecommunication systems

Minor violations include:

- High bandwidth utilization
- Abuse of University bandwidth and resources
- Port scanning
- Unintentional virus/worm propagation
- Sending unsolicited e-mail
- Internally recognized file server
- Internally recognized sharing or distribution of copyrighted materials

Disclaimer:

Hofstra University is not responsible for any loss of data or damage to hardware or software on your personal systems at home, in the residence halls or public access computer labs on campus.

Hofstra University believes in the user's rights to privacy; however, when there is sufficient evidence of wrongdoing, the University reserves the right to examine and impound any files, information or computer system(s) resident or attached to the Hofstra University network.

All persons accessing Hofstra University computing resources will be held accountable for their conduct. Conduct that involves the use of University resources in an inappropriate manner or that violates another person's rights may result in revocation of computing usage privileges and is subject to University disciplinary action as outlined in the University's policies and the *Code of Community Standards* as outlined in the *Guide to Pride*. Such conduct may also be subject to criminal or civil legal action.

Any abuse or violation of the rules outlined here (or of other rules and practices governing the use of computer networks to which Hofstra is attached) will lead to account suspension and immediate review, with the possibility of account revocation, further disciplinary action in accordance with Hofstra University rules and procedures, and referral to local, state and federal law enforcement authorities.

As a matter of routine, use of Hofstra computer systems and the Hofstra Network is monitored and recorded by authorized University staff members in order to safeguard the security and smooth operation of these resources.

These privileges and further clarifications are continuously reviewed and amended. The latest updates to this document are available at www.hofstra.edu/scs/aug.

Network Account Specific Policies and Information

Network accounts are intended to provide members of the Hofstra University community of students, staff, and faculty with basic access to Hofstra University Network academic and administrative software applications and Internet services, including electronic mail (Hofstra Gmail), Google Applications, the my.Hofstra.edu portal and other information services via World-Wide Web. Your account provides a set of the most popular software tools for these purposes, and Student Computing Services offers documentation, classes, and staff assistance to help you with their use.

Password

Each user of the system is assigned a unique login ID. We suggest that users change passwords every six months in order to maintain high security on the system. However, it is each account holder's responsibility to change the password and to not reveal it to other individuals. Passwords must conform to Hofstra University's strong password policy. For additional information visit <http://www.hofstra.edu/scs/password/>.

Limitations of the Hofstra Network Account

In order to provide the best possible service to the large community of Hofstra University Network users, the following limitations have been placed on the configuration and use of each Hofstra Network account:

- Network accounts are intended solely for the account holder's access to resources on the Hofstra University Network and their e-mail. **Users of the network** must therefore agree that, under no circumstance, will they allow other individuals to access these resources via their accounts. Furthermore, you will not provide to others Hofstra University Network access (e.g., Modem pool) to information services via your computer system.
- A uniform quota of system disk space is allotted to each user to hold account configuration files, Web site files, personal files and electronic mail; individual disk quotas cannot be changed.
- Hofstra University's intention is to provide a uniform set of tools that are of interest to all users of the Hofstra University Network system. Users may not install additional application software or utilities in their Hofstra University Network disk space, whether for their own or others' use.
- Network accounts will be deactivated and removed upon graduation, or if an account holder's affiliation with Hofstra University ends.
- Hofstra Gmail and Google Application accounts will remain with the student once the student has graduated or is no longer a student. Once the student has graduated or leaves the University, their Hofstra Gmail account and Google Applications will receive the standard Google advertisements.

- Your Hofstra Network connection is for the use of the account holder or account holders in the case of roommates. Under no circumstance will you allow other individuals to access the HOFSTRA NETWORK via your account.
- Users are not to run any services (i.e., Web servers, HTTP servers, file servers, DNS servers, DHCP servers, FTP services, list servers, publish MP3/4s, publish files via generic file services, etc.) via this HOFSTRA NETWORK connection. This connection is not for commercial use (including, but not limited to nonprofit services that are not University sponsored).

WORLD WIDE WEB GUIDELINES AND PROCEDURES FOR ALL HOFSTRA UNIVERSITY COMPUTER AND NETWORK USERS

I. General Statement

The World Wide Web (WWW) offers the Hofstra University community rich resources for advancing teaching and research. Individuals can retrieve materials for use in their classes and scholarly activities as well as present materials for use by others. Hofstra supports the rights of students and faculty to create and receive educational information available through the Web, in keeping with its principles of academic and intellectual freedom.

Access to the Web is made available to students, faculty and eligible staff of Hofstra as part of the educational computing and networking resources of Hofstra. Use of these resources is a privilege extended to members of the Hofstra community, and must be exercised in conformity with all applicable Hofstra policies and procedures, and all applicable federal and state laws.

If anyone has any doubt as to the applicability of these guidelines and procedures, please contact the Office of Information Technology at (516) 463-6900 before taking any action. Anyone who does not want his or her Web activities restricted by the guidelines and procedures contained in this document is advised to contact commercial Internet service providers.

II. Hofstra Guidelines Concerning Use of Computer Facilities

Hofstra is a nonprofit, educational institution, and the use of its facilities, including computer facilities, is limited to the educational and other nonprofit purposes of its students, faculty and eligible staff. Accordingly, Web pages may be created and posted only for the educational and research purposes of the Hofstra community. These Web pages may only be posted on Hofstra-sanctioned HTTP servers. No person may include in a Web page any advertising materials or other materials relating to business or commercial activities of such person or any third person. The content of any Web page

and its compliance with applicable policy and law is the sole responsibility of the author.

At any point in time, there are likely to be various federal and state laws that impose civil and/or criminal liability for computer network transmission of certain types of materials or messages. Currently, such laws restrict or prohibit transmission of, among other things, obscene materials to minors and child pornography, and messages or materials that constitute libel or harassment.

III. Hofstra Guidelines Concerning Creation of Web Pages

Creation of Web pages for educational and research purposes may involve incorporation of original works of third parties (e.g., literature, photographs, music, software, film, and video works) that are covered by copyright laws.

Web page authors must obtain all permissions that may be necessary to incorporate works of third parties in their Web page. These must be presented to the University administration upon request. Use of such works may be permitted by principles of fair use, consistent with copyright laws.

No person may use the name “Hofstra” or “Hofstra University,” the name of any school of Hofstra University or any logo or trademark of Hofstra University without first obtaining written permission from Hofstra’s Office of University Relations, except if University-developed templates are used. It is permissible, however, for a Web page author to identify himself or herself as a student, faculty or staff member of Hofstra, as appropriate.

The following policy applies to student organization Web sites and portal groups: PLEASE NOTE: Students requesting a student organization Web sites and portal group must complete the WEB SITE LINKING AGREEMENT (located at WWW.HOFSTRA.EDU/SCS) prior to linking to the www.hofstra.edu Web site.

The purpose of the organization’s Web site is to promote the mission of the organization and to convey information about the organization’s activities, honors, upcoming events, past events, announcements, governance, and other pertinent organizational materials, including pictures, audio and video. Hofstra does not monitor, edit or review the materials contained within the organizations’ Web sites. The organization’s president and vice president are responsible for the content of the Web site, including but not limited to text, announcements, articles, graphics, photos, external links and files.

The organizations’ Web sites shall be governed by the **Computer Networks Acceptable Use Guidelines** at <http://www.hofstra.edu/scs/aug> and other

provisions of the *Code of Community Standards* as outlined in the *Guide to Pride* at:

http://www.hofstra.edu/CampusL_CampusL_Dean_of_Students_guidetopride.cfm.

Web pages must comply with all University policies, rules and regulations as well as all local, state and federal laws. A report of any violation of these policies may lead to disciplinary action in accordance with the *Code of Community Standards* and may also be subject to criminal or civil legal action. Hofstra University maintains the right at its sole discretion to remove the Web site or any content that violates this policy.

No organization's Web site may link to Hofstra University's Web site or use Hofstra University's name without written permission and pursuant to the terms of the **Web Site Linking Agreement**. In accordance with the terms of the Web site linking agreement, the following disclaimer must be posted on the page containing the link to Hofstra's Web site:

This link is provided for convenience of reference only. The existence of this link is not to be construed as an endorsement by Hofstra of the content of this Web site or any external sites to which it links. Hofstra University makes no warranties, express or implied, with respect to the site's operation, or the information, content or materials included on this Web site. To the fullest extent permissible by applicable law, Hofstra hereby disclaims all warranties of merchantability and fitness for any particular purpose. Hofstra will not be liable for any damages of any kind arising from the use of or inability to use this site.

IV. WEB SITE LINKING AGREEMENT

STUDENT ORGANIZATION WEB SITE / PORTAL GROUP PROCEDURE AND POLICY

PROCEDURE

To apply for a student organization Web site or portal group, the organization must be recognized and approved by the University. The following steps must be completed:

- Download and complete the Web Site Linking Agreement located at www.hofstra.edu/scs.
- The president or vice president of the student organization must complete the application and Web Site Linking Agreement.
- The Office of Student Leadership and Activities or the relevant academic dean must confirm the current status of the organization and confirm that the application and Web Site Linking Agreement are completed.

- Once completed, but no later than October 30, the president or vice president must submit the organization's completed application to Student Computing Services. The signed application and Web Site Linking Agreement shall be maintained by Student Computing Services.
- Student Computing Services will prepare a Web site account on a designated Hofstra University server for the organization and will notify the organization's president and vice president when the user IDs and passwords have been established.
- Each year on August 31, the organization's Web site is taken down. The organization can archive the site and the site can be reactivated once a new application is submitted and the organization's current status is approved.

SUPPORT SERVICES

Portal Groups

The Help Desk will provide training and strategies for making successful and effective portal groups. The approved application form shall be forwarded to the Computer Center Help Desk to complete the portal group implementation. Training and consultation is provided to the student group PRIOR to the group going online.

Organization Web Sites

Student Computing Services provides group training classes on Web site development and design. Training in Dreamweaver and HTML are provided each semester. Custom classes are provided to organizations upon request.

V. Other Guidelines

In addition to the guidelines set forth in this document, each person using Hofstra's computer and network facilities shall also comply with the policies contained in "Responsibilities of All Hofstra University Computer and Network Users," the *Faculty Handbook*, and the *University Policies and Procedures* and the *Code of Community Standards* set forth in the *Guide to Pride* at Hofstra.

Hofstra receives its Internet access from an Internet Service Provider (ISP), and any network activity that leaves Hofstra's network destined for the Internet, including all Web pages, is bound by any policies of this ISP. In the event of an inconsistency between Hofstra's policy and those of the ISP, the more restrictive policy shall be observed.

Hofstra does not routinely monitor or edit the content of faculty, staff or student Web pages. However, in the event that Hofstra becomes aware of a violation of University policy or law that involves a Web page, Hofstra reserves

the right to remove the Web page, restrict access to such page or take other action as deemed appropriate by Hofstra University. Any such violation may also lead to disciplinary action in accordance with Hofstra rules and procedures, and referral to local, state and federal law enforcement authorities.

THIS DOCUMENT DOES NOT DISCUSS ALL APPLICABLE LAWS NOR SHOULD IT BE INTERPRETED AS PROVIDING LEGAL ADVICE. EACH WEB PAGE AUTHOR IS RESPONSIBLE FOR COMPLYING WITH ALL APPLICABLE LAWS WITH RESPECT TO HIS OR HER WEB PAGE.

For more information about creating personal Web pages, contact Student Computing Services at (516) 463-7777. Any questions concerning these guidelines should be directed to the Office of Information Technology at (516) 463-6900.

VI. NETWORK OPERATIONAL PRINCIPLES

The following statements express many of the fundamental principles governing the day-to-day operation and configuration of the HOFSTRA NETWORK as managed by the Hofstra University Computer Center.

These principles are followed so as to maintain the smooth and reliable operation of the HOFSTRA NETWORK through careful adherence to widely recognized industry-standard approaches.

Network configuration and management at the school or departmental level must be performed in conformance with these principles.

If a topic of interest is not mentioned explicitly below, the Computer Center must be consulted.

Network Analysis and Scanning

The Computer Center is the only group that may run any type of network analysis or network scanning equipment or software on the HOFSTRA NETWORK at large, unless express permission is granted. Such devices can be used to manipulate the network, impact connectivity at large and damage individual machines. Any such activity detected on the HOFSTRA NETWORK will be considered a security breach warranting investigation and possible revocation of network privileges during the investigation.

Network Discovery

Software that uses SNMP or ICMP to automatically “discover” or identify entities on a network generally can have a negative impact on the network at large, as such network discovery is prohibited. Such software scans the entire network, flooding it and its intended target agents with an over-

whelming amount of SNMP traffic. The end result is reduced bandwidth to the local networks and diminished router performance.

Network Naming and Addressing

External hostnames or domain names may not be registered with Internet Service Providers (ISPs) or the InterNIC against Hofstra DNS name space, address space or name servers.

Additional IP and Domain Guidelines

- Private IP address space is NOT available.
- No computer can use the Hofstra sub domain name.
- An individual or group may not register a domain name with Hofstra's IP address.
- An individual or group may not register a domain name that contains **Hofstra or Hofstra University**, as these are trademark names.

VII. NETWORK SERVICES

Non-routable protocols: The HOFSTRA NETWORK, being a multiprotocol routed network, supports IP, IPX and DecNET protocols; however, non-routable protocols such as NetBEUI (used by Windows NT/95/98 for Microsoft Networking) pose significant scalability problems by not properly functioning on a routed network. Hence they are not supported for communications across the HOFSTRA NETWORK.

Domain Name Service: The HOFSTRA NETWORK supports the IETF/Internet host-naming scheme called the Domain Name Service (DNS). Due to significant incompatibilities with this standard, the Microsoft naming scheme, WINS, is not supported.

Name and Boot servers: The Computer Center runs redundant BOOTP, DHCP and DNS servers on behalf of the HOFSTRA NETWORK. These servers ensure the uninterrupted and reliable assignment and registration of IP addresses for all hosts on the HOFSTRA NETWORK. Individual departments may not run such servers of their own. The Computer Center sets the standards for all network services in DNS services and servers.

News servers: The Computer Center runs a USENET News server on behalf of Hofstra University. Since news servers consume a very large amount of bandwidth on the network and the University-wide connection to the Internet, we do not support any additional servers on the HOFSTRA NETWORK.

WWW proxy server: The Computer Center runs an HTTP proxy server on behalf of the University. Such devices can consume a large amount of bandwidth on the network, and pose a security risk to the HOFSTRA NETWORK

unless extremely carefully managed. As a result, no other HTTP proxy servers may be run on the network.

FTP and Web server appropriate use: FTP or Web servers for the intention of distributing copyrighted or pirated software on the HOFSTRA NETWORK or the Internet are illegal and not permitted on the HOFSTRA NETWORK. Any group wishing to establish an FTP or Web server for distribution of large amounts of data should contact the Computer Center for guidance. Such activity impacts traffic flows on the network and has a direct impact on performance of the HOFSTRA NETWORK at large.

High-bandwidth network applications: High-bandwidth projects or activities, including streaming video and videoconferencing, should also be conducted in coordination with the Computer Center.

Local Area Networks and Servers

Backup of computers over the HOFSTRA NETWORK is not currently supported, due to the bandwidth requirements of such activities. Individuals may use the network to back up machines local to their LAN, but such traffic traversing the HOFSTRA NETWORK backbone can negatively impact the connectivity of others on the HOFSTRA NETWORK.

VIII. SERVING COPYRIGHTED MATERIAL

Hofstra provides Web and FTP servers for use by students, staff and faculty as well as central Web site. Consequently, many opportunities exist for individuals or departments to “publish” information for global consumption. Unfortunately, this provides a means to redistribute non-original material (e.g., commercial music, commercial software, documents) that is protected by copyright, without permission of the copyright owner, using Hofstra’s systems and network.

Such activity is both contrary to Hofstra’s policy on appropriate-use, and is a violation of federal law governing copyright.

If you are serving any data, in any medium, that is not your own intellectual property, and is protected by copyright, you must either obtain the permission of the owner of the material or remove the copyrighted material from distribution immediately.

RESTRICTIONS ON USE OF BANDWIDTH

In order to ensure the HOFSTRA NETWORK availability is sufficient for Hofstra work, the University has been forced to take steps to restrict traffic related to an outside service that enables distribution of music files, streaming video, or audio over the Internet.

This is in violation of the policy prohibiting the installation of servers on the HOFSTRA NETWORK. See section titled **Limitations of the Hofstra Network Account**.

Any file sharing and file scanning software (e.g., P-2-P software) creates significant risks of compromise to your computer and your privacy, as well as to other computers on the HOFSTRA NETWORK. There is no way to tell what malicious functions may be performed by the software you automatically download or what modifications may have been made to the files themselves.

By choosing to be an authorized user of the Hofstra University network [HOFSTRA NETWORK], you have agreed to these limitations in addition to those updated at www.hofstra.edu/scs/aug.

PARKING AND VEHICLE REGULATIONS

GENERAL

Hofstra parking permits can be obtained at the Hofstra University Information Center located on the southeast corner of Hempstead Turnpike and California Avenue. Permits are issued only at the Public Safety Office, 24 hours a day, seven days a week. There is no charge for a parking permit. Anyone who parks a motor vehicle on University grounds must obtain a permit. Parking permits must be affixed to the vehicle in accordance with the directions for use, listed on the back of the parking sticker. All persons parking their vehicles on campus do so at their own risk. The University is not responsible for the theft of any vehicle, its contents, or for damage sustained by a vehicle parked on campus property. All operators are subject to existing New York Vehicle and Traffic Laws while on campus.

WHAT IS REQUIRED WHEN APPLYING FOR A PARKING PERMIT?

Applicants must:

1. apply in person
2. show identification, and
3. supply the state license plate numbers of all vehicles used.

SPECIAL PRIVILEGES

Persons who are physically challenged may receive special privileges, if authorized. However, anyone requiring handicapped parking privileges must first apply through the University Health and Wellness Center. If approved by the Health and Wellness Center, a special parking permit may be obtained at the Public Safety Office.

Short-time unloading stops in restricted and “No Parking” areas are permitted, but permission must be obtained in advance from the Public Safety Office. In the absence of permission, violations will be cited.

USE OF ANOTHER/DIFFERENT VEHICLE

A separate permit will be issued for each vehicle registered. You are responsible for all summonses issued to all vehicle(s) so registered. If it becomes necessary for you to use another vehicle, the state license plate number of the vehicle used must be reported to the Public Safety Office, or violations will be cited. The Public Safety Office has no way of knowing that you are using another vehicle unless proper notification of this fact is made.

PARKING IN A MANNER THAT WARRANTS TOWING

Any vehicle that is not registered as required or that is parked in violation of any of the campus traffic regulations will be fined and towed at the owner's expense. You must report to the Public Safety Office, Hofstra Information Center, to secure the release of your vehicle. All outstanding traffic fines, towing and storage fees must be paid prior to the vehicle being released. The University will not be held responsible for damage to towed vehicles or for personal property lost as a result of having the vehicle towed and/or disposed of. Any vehicle parked on campus a) without a proper license plate, or b) for four (4) days or more without a valid University permit, is considered abandoned, and is subject to disposal, for which the University will not be responsible for any damage or loss of property.

WHERE SHOULD I PARK?

Students may park only in areas marked for student parking, and only between lines that outline the parking space. Do not park in areas marked “restricted,” “reserved,” or “visitors.” This rule applies whenever vehicles are on campus for any reason. Motorcycles and mopeds must be parked in spaces marked for such vehicles and may not be parked in a space outlined for a full-sized or small car.

CITATIONS

Citations will be given for, but are not limited to, the following violations of regulations:

1. Failure to properly display a valid Hofstra University parking permit.
2. Parking in an area not outlined for parking.
3. Parking in a unauthorized field or space.
4. Parking outside the lines.
5. Parking in a restricted or reserved space or area.
6. Failure to register state license plate number with Public Safety.
7. Parking in front of a closed gate or barricade.

8. Parking within the prohibited limits of a fire hydrant.
9. Obstructing traffic.
10. Parking in other than a specified area when parking privileges have been suspended.
11. Driving or parking on any grass area, walk or ramp, except emergency and maintenance vehicles or as directed by a Public Safety Officer.
12. Parking in a tow-away zone.
13. Parking for the purpose of making mechanical repairs.
14. Abandoning your vehicle.
15. Parking in a “handicapped” space.
16. Driving dangerously.
17. Failing to stop at a “STOP” sign.
18. Speeding.
19. Entering a parking field via exit.
20. Exiting a parking field via entrance.
21. Leaving the scene of an accident.

PARKING VIOLATIONS MAY BE APPEALED

If you feel that the summons was issued or that your vehicle was towed in error, you may file an appeal on the form provided for this purpose. Students can obtain an appeal form at the Dean of Students Office located in 243 Student Center or at the Hofstra Information Center. Appeals are heard by the Student Hearing Board on the first Monday of every month of the fall and spring semesters (dates may vary). Students may attend the appeal, or the Board will use the written appeal to make their determination. Faculty and administration may appeal to the parking committee of Public Safety; these appeal forms are available at the Public Safety Office. All rulings on appeals are final.

DISCIPLINARY ACTION FOR CONTINUOUS VIOLATORS OF PARKING AND VEHICLE REGULATIONS

The University reserves the right to refuse parking privileges to anyone found to abuse the University’s parking rules and regulations. Students who repeatedly violate University parking regulations could face disciplinary action that may result in, but is not limited to, suspension of driving privileges on the Hofstra campus. If a student’s driving privileges are suspended/revoked, that student is not permitted to drive/have his or her vehicle on any part of the Hofstra campus for any reason. The campus speed limit is 15 mph. Violators will be cited.

****For more information on campus vehicle regulations, consult the Campus Vehicle Regulations brochure available at the Public Safety Office***

SECTION VI

FACULTY POLICY SERIES

FACULTY POLICY SERIES #11

(rev. 2004)

PROCEDURE FOR HANDLING VIOLATIONS OF ACADEMIC HONESTY
BY UNDERGRADUATE STUDENTS AT HOFSTRA UNIVERSITY

(See Faculty Policy Series #11A for the School of Law and Faculty Policy
Series #11G for Graduate Students)

I. Statement of Principles

Hofstra University places high value upon educating students about academic honesty. At the same time, the University will not tolerate dishonesty, and it will not offer the privileges of the community to the repeat offender.

A. Education, prevention and faculty responsibility

It is the responsibility of the faculty not only to share knowledge, but also to communicate understanding of, and respect for, the process and ethics by which knowledge is produced. Faculty are obligated to promote awareness of, and to educate all students about what constitutes academic honesty. Faculty should provide students with helpful sources of information on the subject such as the *Hofstra Writer's Guide*, the *New College Writing Program Manual*, and Web sites covering issues related to academic honesty (e.g., www.nutsandbolts.washcoll.edu/plagiarism.html and www.academicintegrity.org). Faculty can disseminate this information through a variety of media, including course outlines and handouts, discussions regarding acceptable classroom behavior, and explanations of grading policies and the consequences of dishonesty. Faculty are also asked to encourage students to take advantage of structured opportunities to learn about academic honesty such as workshops offered by the Center for Teaching and Scholarly Excellence or by the Writing Center. In addition, faculty should teach by example, with instructors' teaching materials containing appropriate citations. Such educational efforts will foster a cooperative climate that deters instances of academic dishonesty.

To assure impartiality in the classroom, instructors should provide students with an explicitly stated grading policy. Such a grading policy may also include an academic honesty policy, which provides for specific penalties for certain academic honesty violations.

When deciding how and when to disseminate the ethics and processes by which knowledge is produced, faculty are encouraged to use their judgment

and to confer with their colleagues in arriving at a conclusion as to what constitutes a reasonable penalty that is neither too harsh nor too lenient.

To ensure that the University appropriately responds to students who repeatedly violate the principles of academic honesty, it is incumbent upon faculty to report all violations by completing the “Report Form on Violations of Academic Conduct” (see Section III C.)

B. Students’ responsibility

The academic community assumes that work of any kind, whether a research paper, a critical essay, a homework assignment, a test or quiz, a computer program, or a creative assignment in any medium, is done, entirely and without assistance, by and only for the individual(s) whose name(s) it bears. If joint projects are assigned, then the work is expected to be wholly the work of those whose names it bears. If the work contains facts, ideas, opinions, discoveries, words, statistics, illustrations, or other elements in any media form (including electronic) that are beyond the assumption of being common knowledge, these must be fully and appropriately acknowledged, following a prescribed format. They may be acknowledged through footnotes, endnotes, citations, or whatever other means of accreditation is acceptable according to the format prescribed in that particular field of study.

Students bear the ultimate responsibility for implementing the principles of academic honesty. Students must understand that it is not enough to identify the source of quoted material; it is also necessary to indicate when one is paraphrasing (restating in other words) material found in a source. Thus, the use of other’s ideas as well as their words needs to be acknowledged.

II. Violations

Any violation of these principles constitutes academic dishonesty. Indeed, it is important for students to avoid even the appearance of dishonesty. The following is a partial list of such violations and is not exhaustive:

Violations Regarding Exams:

- obtaining unauthorized information concerning an exam and/or giving such information to another student;
- communicating with anyone, other than the exam proctor, while taking an exam;
- helping another person to cheat on an examination;
- reading or copying another student’s examination sheet or book during an exam;

- possessing unauthorized material or tools (such as calculators or computers) in the examination room during an exam and/or consulting such materials or tools during an exam;
- without proper authorization, beginning an exam before the prescribed time or continuing to work on the exam after the prescribed time;
- failing to submit all bluebooks and examination materials at the end of an exam or removing bluebooks or examination materials from the exam room without the proctor's or faculty member's approval;
- having another person take an exam in one's place;
- submitting work produced with unauthorized collaboration or assistance.

Violations Regarding Plagiarism:

- copying or substantially copying someone else's words without both citing the author of the quotation and using either quotation marks or an indented block quotation;
- paraphrasing someone else's words or work without citing the source;
- using paid "research services";
- copying from another's term paper or computer disk;
- submitting work produced with unauthorized collaboration or assistance;
- fabricating sources.

Other Violations:

- submitting the same or a significantly similar work for credit in more than one course without the consent of the faculty members involved;
- falsifying experimental data;
- using computer programs or data without proper authorization or acknowledgment;
- making one's own academic work available to others to present as the recipients' own;
- submitting work produced with collaboration or assistance unauthorized by the faculty member.

III. Procedures for Handling Violations

A. Since the goal of Hofstra University's policy on academic honesty is to educate, rather than to punish, the instructor has an obligation to inform a student as soon as possible that a violation of academic honesty may have occurred. The faculty member should explain the nature of the alleged offense, inquire into the student's knowledge of its character and seriousness, ascertain the student's motivation, and take into consideration any relevant information the student wishes to provide. If after a good-faith effort, such a discussion cannot take place, the faculty member must inform the student in writing of the rationale for any penalty imposed. The student may appeal this grade as outlined in Section IV.

Once a faculty member determines that a violation of academic honesty has occurred, the instructor shall assess the penalty according to the following criteria:

1. Predetermined academic honesty policy

If the instructor previously prepared and issued to students a predetermined academic honesty policy, which includes specific penalties for certain violations, then the instructor should abide by the provisions of this policy.

2. Consultation and assessment

A. Before a penalty for an infraction is imposed, the faculty member should attempt to assess the appropriateness of the penalty with the student. Faculty are also encouraged to confer with their colleagues in arriving at a conclusion as to what constitutes a reasonable penalty that is neither too harsh nor too lenient. In cases of academic dishonesty, a range of penalties may be appropriate. In cases of plagiarism, or cheating on an examination, some faculty give failing grades for the assignment or examination and others give failing grades for the course. In cases in which the grade of F is awarded for the course, the student may not withdraw from the course.

B. The instructor must inform the Provost and the Dean of Students of each violation entailing the imposition of any penalty by completing the "Report Form on Violations of Academic Conduct." This information will be filed exclusively in the Provost's Office and the Dean of Students Office until the student graduates. Notice of the right of appeal from the judgment, as well as from the penalty, must be given to the student by the faculty member in writing. If the instructor determines that there has been a reportable violation, the instructor must inform the student in writing of the nature of the charges within ten (10) days of the date of the discovery of the infraction.

C. An undergraduate student who commits a second violation of academic honesty shall be subject to suspension or dismissal. The Office of the Provost shall inform the student in writing of both their status and his or her right to appeal.

IV. Right of Appeal

A. The student has the right to appeal a charge of academic dishonesty, the grade resulting from the charge, or a suspension/dismissal decision.

B. Upon receipt of notification from the Dean of Students, the student has seven days to appeal in writing to the Office of the Provost a charge of academic dishonesty, the grade resulting from the charge, or a suspension/dismissal decision. The Provost shall review the appeal and the procedures followed up to that point. The Provost shall see that any procedural violations are remedied and attempt to mediate a resolution of the dispute.

C. If resolution is not achieved, the Provost will then appoint an Ad Hoc Board of Appeals consisting of the following voting members: a representative of the Office of the Provost, who will serve as chair; the chair of the department involved or the chair's representative; a representative of the Dean of the appropriate School or College; a representative of the Office of the Dean of Students. The student may opt to have two student representatives. In the case of an undergraduate student, the appointees will be undergraduate students, preferably from the Student Hearing Board.

D. The Ad Hoc Board of Appeals will be governed by the following bylaws:

- The presumption of innocence shall apply. The Board shall review the case de novo: The burden of proof of the violation and the justification of the penalty is upon the faculty member making the charge.
- The student must have an explicit statement of the charges and a reasonable amount of time prior to the first formal meeting of the Board.
- The student may have an adviser of his/her choice from within the University.
- Both parties must be present when either party is presenting statements or evidence to the Board.
- Both parties may elect to present evidence or call witnesses on their behalf.
- Both parties must receive copies of written evidence presented to the Board.
- Both parties may elect to cross-examine those who appear.

E. Decisions of the Ad Hoc Board of Appeals are final and binding and will be presented in writing to the student, with a copy to the Provost.

FACULTY POLICY SERIES #11G (REV. 2004)

PROCEDURE FOR HANDLING VIOLATIONS OF ACADEMIC HONESTY BY GRADUATE STUDENTS AT HOFSTRA UNIVERSITY

(See Faculty Policy Series #11 for Undergraduates
and #11A for the School of Law.)

I. Statement of Principles

A University is a community of faculty, administrators and students dedicated to the pursuit of learning and to the creation of new knowledge. Every individual in this community has an obligation to uphold its intellectual standards, which alone make education worthwhile. It is the responsibility of the faculty not only to share its knowledge, but also to communicate understanding of, and respect for, the process by which knowledge is produced. The goal of most graduate study is individual synthesis and analysis, and the independent evaluation by students of others' work. Thus, students play an active role in their own education, and each student bears responsibility for his or her work. Anyone who refuses this responsibility both misses the point of a graduate education and proves unworthy of it.

A student who commits any act of academic dishonesty, including knowingly helping another student to commit such an act, is rejecting the responsibility that is inherent in the pursuit of learning and may forfeit the right to remain a member of the academic community, particularly if he or she is unwilling or unable to recognize the seriousness of the offense and fails to demonstrate such recognition by abstaining from further violation of academic propriety.

One learns and contributes to the body of knowledge by reviewing work already done and by using it as the basis for generating new ideas, discovering new data, and drawing new conclusions. Though the process of learning is undeniably collaborative, one's achievement in that process is assessed on the basis of one's individual contribution. Academic honesty requires carefully distinguishing one's own work from that of others. Each individual must fully acknowledge when, where and how his or her work refers to or depends on that of others. This means carefully tracing the boundary between others' efforts and one's own, clearly noting where others' work leaves off and one's own begins.

The academic community assumes that work of any kind, whether a research paper, a critical essay, a homework assignment, a test or quiz, a computer program, or a creative assignment in any medium, is done, entirely and without

assistance, by the individual whose name it bears. (If joint projects are assigned, then the work is expected to be wholly the work of those whose names it bears.) If the work contains facts, ideas, opinions, discoveries, words, or other elements found in sources, these must be fully and appropriately acknowledged, following a prescribed format. In general terms, the conventional format consists of a bibliography (a list of sources) coupled with footnotes or parenthetical citations that serve to identify the precise derivation of each idea, fact, paraphrase, or quotation that comes from another's work.

II. Guidelines

It is particularly important for students to understand that it is not enough to identify the source of quoted material; it is also necessary to indicate when one is paraphrasing (restating in other words) material found in a source. Thus, the use of other's ideas as well as their words needs to be acknowledged.

The standard guides in these matters are the *Publications Manual of the American Psychological Association* for the social sciences, *Style and Format: The CBE Manual for Authors, Editors, and Publishers* for the natural sciences, *MLA Handbook for Writers of Research Papers* and *Chicago Manual of Style* for the humanities. Individual programs may designate more discipline-specific style manuals.

III. Violations

Any violation of these principles constitutes academic dishonesty. Indeed, it is important for students to avoid even the appearance of dishonesty. In simplest terms, academic dishonesty refers to using unauthorized assistance or making false representations in work submitted for academic credit or knowingly helping others to use unauthorized assistance or make false representations in such work. It includes, but is not limited to the following offenses:

Violations Regarding Exams:

- obtaining unauthorized information concerning an exam and/or giving such information to another student;
- communicating with anyone, other than the exam proctor, while taking an exam;
- reading or copying another student's examination sheet or book during an exam;
- possessing unauthorized material or tools (such as calculators or computers) in the examination room during an exam and/or consulting such materials or tools during an exam;

- without proper authorization, beginning an exam before the prescribed time or continuing to work on the exam after the prescribed time;
- failing to submit all bluebooks and examination materials at the end of an exam or removing bluebooks or examination materials from the exam room without the proctor's or faculty member's approval;
- having another person take an exam in one's place;
- submitting work produced with unauthorized collaboration or assistance.

Violations Regarding Plagiarism:

- copying or substantially copying someone else's words without both citing the author of the quotation and using either quotation marks or an indented block quotation;
- paraphrasing someone else's words or work without citing the source;
- using paid "research services";
- copying from another's term paper or computer disk;
- submitting work produced with unauthorized collaboration or assistance.

Other Violations:

- submitting the same or a significantly similar work for credit in more than one course without the consent of the faculty members involved;
- falsifying experimental data;
- using computer programs or data without proper authorization or acknowledgment;
- making one's own academic work available to others to present as the recipients' own;
- submitting work produced with unauthorized collaboration or assistance.

IV. Procedures for Handling Violations

The names of all students involved in academic dishonesty issues shall be held confidential.

A. Any question of academic dishonesty should first be addressed through discussion between the student and the instructor. The faculty member must

explain the nature of the alleged offense, inquire into the student's knowledge of its character and seriousness, ascertain the student's motivation, and take into consideration any relevant information the student wishes to provide.

B. When, after discussing the alleged offense with the student or making a good-faith effort to do so, a faculty member determines that a violation of academic honesty has occurred, the instructor shall determine the penalty (if any) within the context of the course and complete the "Report Form on a Graduate Student's Violations of Academic Honesty," sending copies to the Provost, the appropriate academic dean, the Dean of Students, and the student within 10 days of determining that an infraction has occurred. That form shall specify the nature of the charges, the rationale for the penalty (if any) that the instructor has imposed, and the student's right to appeal. The instructor shall include a copy of FPS 11G in the mailing to the student. The Provost's Office shall keep a record of all such reports.

C. Penalties shall be assessed according to the following guidelines:

Graduate students guilty of gross and unambiguous violations of academic honesty (e.g., cheating on exams or graded projects, quoting a substantial portion of a source verbatim without citation) shall fail the course and be subject to suspension or dismissal by action of the Provost.

Students guilty of violations that require a more sophisticated understanding of the use of sources and development of an authorial voice shall be subject to a range of penalties: rewriting the assignment, failure of the assignment or the course, or suspension/dismissal from the University. Such offenses include:

- a) reproducing the ideas of another (but not the precise language with which those ideas were previously expressed) without citing the source; or
- b) presenting a paraphrase (with citation) that so closely resembles the language of the original that it fails to put the concepts in the student's own words.

A graduate student who commits a second violation of academic honesty shall be subject to suspension or dismissal. The Office of the Provost shall inform the student in writing of his or her status and of the right to appeal.

V. Procedures for Review and Appeal

A. The student has the right to appeal a charge of academic dishonesty, the grade resulting from the charge, or a suspension/dismissal decision. The student can appeal based on the following grounds:

- a) the evidence does not adequately prove that the student violated academic honesty;
- b) new evidence has come to light;
- c) the penalty imposed was not appropriate, reasonable, just, and consistent with the guidelines in this Faculty Policy Series;
- d) proper procedures were not followed in the case.

B. The Provost's designee shall review all reported violations of academic dishonesty. At her or his discretion, the Provost's designee may:

- take no action (allowing the faculty member's report and the penalty imposed to stand);
- impose the penalty of suspension or dismissal when appropriate under the guidelines of this Faculty Policy Series;
- mediate between the student and the faculty member, (possibly involving the faculty member's dean or associate dean in that mediation);
- encourage the student to appeal; or
- convene an Ad Hoc Board of Review (even if the student chooses not to appeal) to examine a reported case of academic dishonesty when he or she finds that the evidence is inadequate or the penalty imposed is inappropriate.

C. Upon receipt of notification of charges and/or penalty the student must inform the Office of the Provost, in writing and within seven (7) University business days, of his or her intention to appeal the charges and/or penalty.

D. If mediation, undertaken by the Provost's designee, does not resolve the concerns of the student appealing or the Provost's designee, the Provost will then appoint an Ad Hoc Board of Review consisting of the following voting members: a representative of the Office of the Provost, who will serve as chair; a representative of the Dean of the appropriate School or College; and the Dean of Students. The student may opt to have two graduate student representatives to be appointed by the Dean of Students. These graduate student representatives should not be enrolled in the same program or department as the student charged with academic dishonesty.

E. The Ad Hoc Board of Review will be governed by the following bylaws: The presumption of innocence shall apply. The Board shall review the case de novo: The burden of proof of the violation and the justification of the penalty is upon the faculty member making the charge. In the case of suspension or dismissal, the burden of justification may also rest with the Provost's designee.

The Board shall determine:

- a) whether the evidence adequately proves that the student violated academic honesty;
- b) whether the penalty imposed was appropriate, reasonable, just, and consistent with the guidelines in this Faculty Policy Series; and
- c) whether proper procedures have been followed in the case.

The student must have an explicit statement of the charges and a reasonable amount of time prior to the first formal meeting of the Board.

The student may have an adviser of his/her choice from within the University; however, that adviser may not address the Board.

Both parties (the student and the faculty member who has brought the charge) must be present when either party is presenting statements or evidence to the Board.

Both parties may elect to present evidence or call witnesses on their behalf.

Both parties must receive copies of written evidence presented to the Board.

Both parties may elect to cross-examine those who appear before the Board.

F. Decisions of the Ad Hoc Board of Review are final and binding and will be presented in writing to the student, with a copy to the Provost.

Faculty Policy Series #12

ACADEMIC FREEDOM AND CIVIL LIBERTIES OF STUDENTS AT HOFSTRA UNIVERSITY

Since students rightly seek a voice in the determination of University policy, it is appropriate for the faculty to state its views regarding the proper freedom and responsibilities of university and college students.¹

In the pursuit of knowledge, critical thinking, and understanding, the student must be viewed as an individual who is most likely to attain maturity if left free to make responsible personal decisions and to exercise the rights, as well as shoulder the responsibilities that this freedom entails, especially within the University community.

I. THE UNIVERSITY, THE COMMUNITY AND THE EDUCATIONAL PROCESS

Like all complex human enterprises, the American university is made up of many groups - students, faculty, several levels of administration, and boards of trustees - which will, at times, disagree on means as well as goals. The University also exists in a network of human relations with many other organizations and constituencies, including alumni, parents, legislatures and various governmental agencies, which may desire to influence its policies.

The university that wishes to set an example of open-minded inquiry in its classrooms will defeat its purpose if it denies the same right of inquiry to its students outside the classroom. The university should protect the student from, and resist itself, any pressures from within or without that would prevent or thwart freedom of inquiry. Open-minded inquiry, however, entails equally the burden of responsibility in and out of the classroom.

II. BASIC PRINCIPLES

A. Freedom of Expression

The student government, student organizations, and individual students should be free to discuss, pass resolutions upon, distribute leaflets, circulate petitions, and take other lawful action respecting any matter that directly or indirectly concerns or affects them.

¹ As used in this pamphlet the word "college" refers to all institutions of higher education including the university

Students should take responsibility for helping to maintain a free academic community. They should respect and defend not only their fellow students' freedoms, but also the rights of their teachers and invited speakers to the free expression of views based on their own pursuit of the truth and their right to function as responsible citizens. In the exercise of these rights, they should bear in mind the obligations that accrue to them by virtue of their membership in the academic community.² Indeed, all members and constituencies within an academic community are obliged to protect these rights to free expression.³

To recapitulate, in the words of the National Council of A.A.U.P., we reaffirm "that free inquiry and free expressions are indispensable to the attainment of the goals of academic institutions; emphasize that the responsibility to secure and to respect general conditions conducive to the freedom to learn is shared by all members of the academic community ... and note that students should be free to support causes by any orderly means which do not disrupt the regular and essential operation of the institution."

B. Freedom From Discrimination

Just as the University should not discriminate on grounds of "race, color, religion, sex, sexual orientation, marital status, age, national or ethnic origin, or physical or mental disability in the conduct and operation of its educational programs and activities," so should it not permit unlawful discrimination in any area of student life, such as University-managed housing, athletics, clubs, organizations, and other campus activities. Cases of discrimination involving academic affairs should be reported to the appropriate academic dean or to the Equal Rights and Opportunities Officer. Cases involving claims of sexual harassment should be handled according to the appropriate University policy.

No student shall be expelled or refused admission to Hofstra University because he or she is unable to participate in any examination, study or work requirement because of his or her religious obligations and practices. However, all students are expected to complete all assignments and examinations. It is understood that no adverse or prejudicial effects shall result to any student who avails himself or herself of religious observances. The University, faculty, and student shall work together to achieve a reasonable accommodation concerning any conflicts between educational and religious obligations.

² Cf. AAUP, 1940 Statement of Principles on Academic Freedom and Tenure, "Academic Freedom", (c); 1964 Committee A Statement on Extramural Utterances. See also Letter No. 11, "Extramural Utterances", in *Academic Freedom and Tenure*, edited by Louis Joughlin (Madison, Wisc.: The University of Wisc. Press, 1967), 132-134.

C. Government by Law

Students should live under a government of law, created, where appropriate, by joint action of students, faculty, and administration. The United States National Student Association has properly said: "The functioning of the educational community requires an awareness of mutual responsibility, understanding, trust, and respect in order that all its members actively contribute to the development of policies and programs; this purpose can best be achieved only through the continuous cooperation within the educational community ... These policies and procedures should in no case be subject to change without notice under the pressure of a particular situation, and the groups affected should participate at all times in their application."⁴

III. STUDENTS AS CAMPUS CITIZENS

A. Student Participation in Institutional Government

As constituents of the academic community, students should be free, individually and collectively, to express their views on issues of institutional policy and on matters of general interest to the student body. The student body should have clearly defined means of participating in the formulation and application of institutional policy affecting academic as well as student affairs. The role of the student government and both its general and specific responsibilities should be made explicit, and the actions of the student government within the areas of its jurisdiction should be reviewed only through orderly and prescribed procedures.⁵ The obstacles to such participation are large and should not be minimized. Nevertheless, ways should be found to permit significant student participation within the limits of attainable effectiveness.⁶

B. Student Government

1. The University should recognize and respect the Student Government Constitution.
2. One purpose of student government is to provide students with the means to regulate student-sponsored activities, organizations, publications and any other matters properly subject to their jurisdiction. The electorate of such a government should consist of the undergraduate student body. Designation of delegates, officers, committees and boards should be by student vote only, should be non-discriminatory and should not be subject to administration or faculty approval. The Student Government may set up a uniform and reasonable system of eligibility requirements for major student offices.

³"Joint Statement on Rights and Freedoms of Students," Bulletin of the AAUP, LIII, No. 4 (Winter, 1967), V.A. p. 367

⁴Codification of Policy, United States National Student Association, 1960-1961, p. 25

3. The Student Government has the responsibility to establish a procedure for official recognition and registration of student organizations. The organization applying for recognition must submit a constitution and provide information about its purpose, affiliations, and activities. Such information should be available to all within the University community and should be subject to publication on the campus.

C. Student Clubs and Organizations

1. Freedom of Student Association: Students have the right to organize and join lawfully organized associations for educational, political, religious, social, or cultural purposes. The fact of affiliation with any co-curricular association or national organization or political party, so long as it is an open affiliation, may not bar a group from recognition. Any campus group which plans political discussion or action has the right to organize. The administration may not discriminate against a student because of membership in any such organization.

2. Disclosures: If the Dean of Students, or student government has reason to believe that any organization has concealed, misrepresented, or otherwise failed to disclose its purposes or affiliations, it may proceed in accordance with the Code of Community Standards.

3. Membership List: Organizations should not be required to file a public list of members. However, confidential membership lists are required to be submitted to ensure that student activity fees are being allocated appropriately, and to verify the authenticity of student members' registration and undergraduate status. The names of officers and members should not, without the consent of the individuals involved, be disclosed to any non-University persons or to any University persons having no direct and legitimate interest therein, except as provided by law.

4. Use of the Campus:

a. Campus Facilities: Meeting rooms and other campus facilities should be made available, as far as their primary use for educational purposes permits, on a non-discriminatory basis, to registered student organizations.

b. Pamphlets, Petitions, and Demonstrations: Student organizations and individual students should be allowed to distribute pamphlets in accordance with University procedures, or collect names for petitions concerning either campus or off-campus issues. Such procedures shall not include regulation of content. Orderly demonstrations on campus should not be prohibited. Any such demonstrations must be registered with the Office of Student Activities, Residential Life, and the Department of Public Safety.

c. Bulletin Boards: Bulletin boards should be provided for the use of student organizations; school-wide circulation of all notices and leaflets that meet uniform and nondiscriminatory standards, and that are in compliance with posting policies established by the Office of Student Activities, Residential Life and the Department of Public Safety, should be permitted.

d. Other Forms of Publication: Information related to student events or student issues may be disseminated through telephone, voice mail, e-mail, Web sites, and other technologies. Such disseminations must comply with University regulations.

5. Advisers for Organizations: A student organization has the right to choose its own faculty adviser from among the full-time faculty or administration or someone else approved by the Dean of students. A student organization may not operate without selecting an adviser and having that adviser confirm that he/she has agreed to serve as such with the Office of the Dean of Students.

An adviser's responsibility to the organization consists solely in consulting with and advising the organization. The adviser may not regulate or control the organization's activities nor should the adviser be held responsible if the group rejects his or her advice. For the record and for his/her protection, however, such rejection should be reported to the Office of the Dean of Students.

D. Student-Sponsored Forums

Students have the right to assemble, to select speakers and to discuss issues of their choice. When a student organization wishes to invite an outside speaker, it must give sufficient notice to the University administration as specified in the appropriate procedures.

The latter may properly inform the group's leaders of its views in the matter, but should leave the final decision to them. This student right remains even if the speaker is a controversial figure.

The University should encourage students to hear all sides of controversial issues and to draw their own conclusions in a responsible manner. If off-campus opposition is feared, it should be made clear to the public that an invitation to a speaker does not necessarily imply approval of his or her views by either the student group or the University administration. At the same time, faculty members and University administrators may, if they wish,

⁵ "Joint Statement on Rights and Freedoms of Students", IV.B.2

⁶ *Ibid.*, IV.C. See also Statement on Government of Colleges and Universities V: "On Student Status"; L. Joughlin, *op. cit.*, 100-101

acquaint students with the nature of organizations and causes that seek to enlist student interest.

E. Student Publications

students - including those involved in University newspapers, literary and humor magazines, academic periodicals and yearbooks, have the right to freedom of the press. University publications in general are dependent on the administration's favor in that they use campus facilities and are subsidized either directly by the University or indirectly by the collection of student activity fees. This dependence should not be used as a means of limiting freedom of expression within the bounds of the law. The editors-in-chief should be left free to exercise their own best judgment in the selection of materials to be published. The faculty adviser should meet with the editorial staff to develop a Code of Professional Responsibility based upon codes adopted by mainstream newspapers and to establish a consistent, ongoing dialogue concerning their mutually agreed upon relationship and roles. In addition, the adviser may counsel the editors in the ethics and responsibilities of journalism (through, for instance, weekly "postmortem" sessions following each issue or through other mutually agreed upon methods), but neither a faculty member nor an administrator should exercise veto power over what may be printed.

In summary, the University administration, which takes no steps to control the content of student publications, and refrains, in a controversial situation, from suspending or discontinuing publications or penalizing one or more student editors, testifies to its belief in the principles of academic freedom and freedom of the press, as well as its trust in the students' ability to act responsibly.

F. Radio and Television. Hofstra University's radio and television stations are responsible to the University's, which provides their facilities and management.

1. Radio. WRHU-FM functions as both a Hofstra University extracurricular activity and a broadcast facility owned by and licensed to Hofstra University by the Federal Communications Commission. While these two functions usually work in tandem to facilitate an educational mission, they occasionally come into conflict. As a member of the Hofstra community and a cornerstone of the School of Communication, WRHU-FM supports the constitutional freedoms and academic principles that form the foundation of any University media organization. However, as an FCC-licensed, non-commercial educational radio station, WRHU-FM must adhere to FCC and University regulations that pertain to on-air content and technical operation.

Thus, WRHU-FM nurtures the broad freedoms enjoyed by other University media within legal constraints and University policy.

2. Television. Hofstra Television (HTV) is a closed-circuit operation producing curricular-based programming in the School of Communication, and therefore is not legally subject to FCC regulations. Notwithstanding, the School of Communication adheres to FCC regulations in its operation of HTV as a matter of effective pedagogy. The School also supports and nurtures the same broad constitutional freedoms enjoyed by all media in the United States. As a member of the Hofstra community and an integral part of the School of Communication, HTV supports the constitutional freedoms and academic principles and responsibilities that are the cornerstone of any University media organization. HTV-produced television programs provide educational experiences for the students in the School, and as such, are produced in consultation with faculty advisers from the School. In order to ensure the responsible exercise of First Amendment freedoms among students, the faculty recognizes its own responsibilities in establishing a dialogue with students about their responsibilities as broadcasters.

IV. STUDENT DISCIPLINE

Responsibility for regulations on academic matters normally rests with the faculty and administration. Regulations governing the conduct of students should be established by the Dean of Students with the advice and counsel of members of the University community and with periodic review by legal counsel and the University Senate.

Regulations governing the behavior of students should be fully and clearly formulated, published, and made available to the whole academic community. Academic matters, including cases of academic dishonesty, are handled through the Provost's Office, while disciplinary issues related to student conduct are handled through the Dean of Students' office. In no case shall students be denied their rights under the Code of Community Standards.

The Division of Campus Life shall publish and distribute the Code of Community Standards to all undergraduate students.

V. STUDENTS AS OFF-CAMPUS CITIZENS

A. Off-Campus Conduct of Individual Students

In their off-campus life, students are generally not under University control, nor should the University be held responsible for the off-campus activities or personal conduct of individual students. Nevertheless, the University

expects a level of maturity appropriate for University students. When off-campus conduct or behavior of an individual is believed to warrant corrective action by the University, the rights of the individual shall be safeguarded in accordance with the procedures described in the Code of Community Standards.

B. No disciplinary action shall be taken by the University against a student for engaging in off-campus political activities provided the student does not claim without authorization to speak or act in the name of the University or one of its student organizations. For their part, students should observe the same kind of self-discipline that their teachers accept when they speak as citizens and not as representatives of their educational institution.⁷

When students choose to participate in political activities that result in police action, it is an infringement of their liberty for the University to punish such activity. Students who violate a local ordinance or any law that they consider to be morally wrong, risk the legal penalties prescribed by civil authorities. In this connection it is incumbent on the University to refrain from administrative decisions that would violate the student's academic freedom. The same principle should apply to the admission of a student who has been expelled from another college.

C. Student Records

As per the Family Educational Rights and Privacy Act of 1974, the University should have a carefully considered policy as to the information which should be part of a student's permanent educational record and as to the conditions of its disclosure. To minimize the risk of improper disclosure, academic and disciplinary records should be separate, and the conditions of access to each should be set forth in an explicit policy statement. Transcripts of academic records should contain only information about academic status. Information from disciplinary or counseling files should not be available to unauthorized persons on campus, or to any person off campus without the express consent of the student involved except under legal compulsion or in cases where the safety of persons or property is involved. No records should be kept that reflect the political activities or beliefs of students. Provisions should also be made for periodic routine destruction of noncurrent disciplinary records. Administrative staff and faculty members should respect confidential information about students that they acquire in the course of their work.⁸

⁷ Cf. AAUP, 1940 Statement of Principles on Academic Freedom and Tenure, "Academic Freedom," (c).

⁸ Joint Statement on Rights and Freedoms of Students, " III.

D. Teacher Disclosure

Teachers who are asked to supply information to employers or prospective employers, governmental or private, about students or former students, should be aware of Federal and State Privacy Laws as well as the dangers to academic freedom inherent in this practice. Since the best education calls for probing, sharing and hypothesizing, and for uninhibited expression and thinking out loud by the student, disclosure by the teacher to a source outside the University community of a student's expressed opinion without the student's expressed written consent, or the making of a statement based on such an opinion, becomes a threat to the educational process.

A faculty member should not answer questions about a former student without the student's expressed consent or unless asked by the student to act as a reference.

E. Housing

On-campus housing as well as other facilities and services should be available to all enrolled students without unlawful discrimination.⁹

The University retains the right to inspect premises occupied by the students, and students are advised of the University's policies in their license agreement. (See the Policies for Residence Halls at Hofstra University.)

SUMMARY

The principles set forth here are consistent with those expressed by Dean Erwin N. Griswold of Harvard Law School, who wrote in 1961: "A university is the place where students learn not merely from the past but also through developing the capacity for and habit of independent thought. If they are well taught, they learn to do their own thinking. There is no 'party line' in any American university worthy of the name. Great ideas can rarely be developed in an atmosphere of constraint and oppression. The university has a unique function not merely in systematizing the orthodox, but also in providing the soil in which may be nourished the speculative, the unfashionable, and the unorthodox..."

⁹ *Ibid.*, I.

FACULTY POLICY SERIES #42 (1997) COURSE GRADE APPEAL POLICY

It is the right and responsibility of the faculty to determine student grades at Hofstra University. An instructor's right to determine the grades assigned in his or her classes shall be abrogated only if it is demonstrated (through the procedure below) that a course grade was based on factors other than the student's academic performance in the course.

Each school and college at Hofstra shall adopt procedures consistent with this policy for appeals of course grades given within that unit. Within these procedures, a student shall appeal first to the instructor (unless the instructor is no longer in residence or is otherwise unreachable), then to the chair of the department (or, in New College, the student's academic adviser or the area coordinator of the student's primary area), then to the dean of the unit in which the course was offered. In these latter two stages, the chair and the dean shall attempt to mediate a resolution, but may not change the grade.

These procedures shall allow for the formation of an Ad Hoc Grade Appeal Committee composed of faculty (although non-faculty may also be included). The student shall be required to submit a written statement to the committee detailing the argument for a change of grade. The committee shall have the authority to investigate the appeal fully. The committee shall begin with presumption that the course grade was assigned correctly; the burden of proof shall lie with the student. If the faculty members of the committee find that the course grade was based on factors other than the student's academic performance in the course, the faculty members of the committee may determine a new grade and submit a change of grade.

A faculty member or student also has the right to appeal the decision of an Ad Hoc Grade Appeal Committee to the Provost. In all appeals to the Provost, the Provost shall begin with the presumption that the Appeal Committee's determination is correct. If the Provost determines that there is cause for reconsideration, the Provost (or his/her designate) shall reconvene and chair (without vote) the Ad Hoc Grade Appeal Committee to review the case. The committee's final determination upon reconsideration shall be forwarded to the President.

The above grade appeal policy can also be accessed from the Faculty Policy Series section of Hofstra's Web site, (http://www.hofstra.edu/Faculty/senate/senate_fps.html; #42), where the specific policies for the individual schools and colleges are also available."