BROOKDALE COMMUNITY COLLEGE
COLLEGE REGULATION

6.3000R Student Conduct Code Regulation

I. Title of Regulation

6.3000R Student Conduct Code Regulation

II. Objective of Regulation

To provide a framework to guide the personal conduct of Brookdale Community College students, as members of the academic and College community. Students assume an obligation to conduct themselves in a manner compatible with the College's function as an educational institution and accordingly, the College has adopted the policies and regulations as an expression of its expectations of student conduct.

III. Authority

Bylaws of the Board of Trustees, 1.2050

IV. Regulation Statement

A. Student Rights and Responsibilities

The College places an emphasis upon certain core values and personal freedoms which are essential to its nature, mission and purpose as an academic community and institution of higher learning. Members of the College community are entitled to engage in the teaching and learning process undisturbed by violence, harassment, intimidation, and bullying. The ability to do so is essential to the orderly pursuit of learning and the work of all members of the College community. Students and student organizations may examine and discuss questions of interest to them and may express opinions publicly and privately. They may support causes by orderly means which do not disrupt the regular and essential operations of the College.

It is the responsibility of all students of the College to adhere to the letter and spirit of this statement of student rights and responsibilities, all College policies, rules and regulations and local, state and federal laws. Students shall not violate or attempt to violate any College policy, rule or regulation or any local, state or federal law. It is the responsibility of all students of the College to contribute to an educational atmosphere in which violations of personal rights and freedoms will not be tolerated.

B. Core Values of Student Conduct at Brookdale Community College

- Community: Brookdale Community College students build and enhance their community

- Fairness: Brookdale Community College students are fair, just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unfair, unjust and inequitable behaviors.

- Respect: Brookdale Community College students show positive regard for each other, for property and for the community.

- Responsibility: Brookdale Community College students are given and accept a high level of responsibility to self, to others, and to the community.

C. Definition of Student

For the purpose of this Student Code of Conduct, a student is defined as a person taking credit-bearing courses at the College, full-time or part-time, without regard to the location or modality of the class. If a person is not enrolled or registered at the time of an incident in which he/she is involved which may constitute a violation of the Student Code of Conduct, that person and the referenced alleged misconduct conduct may become subject to the Student Code of Conduct upon the person's enrollment or reenrollment at the College.

D. Purpose and Scope of the Student Code of Conduct

This Student Code of Conduct is adopted for the purpose of providing a precise set of expectations to students and, at the same time, offering the assurance that all students will be accorded fair and reasonable treatment in matters involving alleged or determined violations of the Student Code of Conduct.

The Student Code of Conduct will apply to any student, student's guest(s) (i.e. sibling, parent, children) student organization or athletic team engaging in activities on the College campus, or at any of the College's off-campus centers and/or satellite campuses (referenced as "College Premises" in this Student Code of Conduct). The College Premises includes the Lincroft campus and any regional or other locations at which the College maintains an office and conducts activities. The Student Code of Conduct also applies to any student, student organization or athletic team sponsoring any approved off-campus function or otherwise representing the College in an off-campus setting. The Student Code of Conduct applies to all learning modalities. Additionally, the College can take action regarding off-campus incidents when such violation(s) adversely affect(s) the College.

When a student is convicted of a violation of local, state or federal law, the College will not request special consideration for that person because of his/her status as a student.

However, the College will cooperate fully with law enforcement agencies and with other agencies in any appropriate program for the rehabilitation of the student to the extent permitted by law and as determined to be in the best interest of the student and the College community.

All non-credit bearing continuing education students must follow the Policies and Procedures as established Division of Continuing and Professional Studies. This includes but is not limited to the CPS Student Code of Conduct.

E. Standards of Conduct

Student conduct which interferes with the philosophical platform of the College is not acceptable.

Any person who enrolls at the College can expect that the faculty, staff and administration will exercise the authority of the College to regulate student conduct whenever the educational process, the health and welfare of the student body as a whole, and/or the property of the College are judged to be jeopardized by the action of any student or group of students.

Harassment, intimidation and bullying of any person are prohibited. Harassment, intimidation or bullying includes any gesture, any written, verbal or physical act or any electronic communication, whether it be a single incident or a series of incidents that takes place on College Premises or at any function sponsored by the College, that substantially disrupts or interferes with the orderly operation of the College or the rights of College employees or other students and that:

a. a reasonable person will know, under the circumstances, will have the effect of physically or emotionally harming another person or damaging another person's property, or placing another person in reasonable fear of physical or emotional harm to his person or damage to his property; or

b. has the effect of insulting or demeaning another person or group of persons; or

c. creates a hostile educational environment by interfering with a student's education, an employee's work or by severely or pervasively causing physical or emotional harm to another person.

Domestic violence, dating violence, sexual assault, stalking and other acts of sexual harassment and misconduct are prohibited by College Policy 2.1001 entitled Title IX Policy Against Sexual Harassment. Allegations of domestic violence, dating violence, sexual assault, stalking and other acts of sexual harassment and misconduct by any student of the College shall be addressed in accordance with College Regulation 2.1001R entitled Title IX Regulation Against Sexual Harassment.

Unattended Minors

a. Minors under the age of 18 are not allowed on Brookdale Community College premises unless under the immediate supervision of an adult or for legitimate college business.

b. Minors are never to be left unsupervised and are prohibited from being left unattended at all Brookdale locations, including but not limited to buildings, grounds, and parking lots.

c. Parents, guardians, and/or audit registered students are required to accompany minors and will be held responsible for their guests' behavior in accordance with College policies.

d. On an emergency basis only, it is the prerogative of the faculty to permit minors of enrolled student's admission to regular classes. However, admission of minors to all laboratory settings is prohibited for safety reasons.

F. Process and Disciplinary Procedures

It has been recognized that due process in higher education disciplinary matters need not parallel the requirements of due process in a court of law. The College will attempt to handle disciplinary matters privately, informally and expeditiously before resorting to formalized procedures or the referral to outside agencies. However, the College will ensure that the basic protections of due process will be implemented when students of the College are charged with violating this Student Code of Conduct.

G. These protections afforded every student and related processes are:

- Any student, faculty or staff member may file a complaint alleging a violation of this Student Code of Conduct. Any such complaint shall be addressed consistent with the requirements of this Student Code of Conduct, except as noted in paragraph "2" immediately following this paragraph "1."

- Any student, faculty or staff member may file a complaint alleging domestic violence, dating violence, sexual assault and stalking by any student of the College, which complaint shall be addressed in accordance with College Regulation 2.1001R Title IX Regulation Against Sexual Harassment.

- Written notification of the charge(s) against a student and possible penalties within a reasonable time period.

- The opportunity to have a discussion with the College's designated Student Conduct Officer to clarify the evidence and/or view of an incident before an initial

determination is made by the Student Conduct Officer or designee.

- The opportunity to have a hearing before the Student Conduct Board with respect to major offenses as defined in this Student Code of Conduct or to waive the right to a hearing and accept the sanctions and/or penalties imposed by the Student Conduct Officer or other authority of the College.

- Written notification of the time, place and date of a hearing at least three (3) business days in advance of the hearing.

- The opportunity to present evidence and witnesses.

- Written notification of the findings of the Student Conduct Board, which findings shall be based upon a preponderance of the evidence presented verbally and/or in writing.

- Written notification of the sanctions and/or penalties to be imposed.

- Written notification of the appeals process.

H. Violations

The acts identified below, when committed by any student and/or student organization, shall be considered violations of the Student Code of Conduct. These violations may be determined to be minor or major offenses at the discretion of the Student Conduct Officer or designee. The listing of acts constituting violations of this Student Code of Conduct set forth below is not intended to be an exhaustive or limited definition of what the College deems to be violations of the Student Code of Conduct. The listing is intended to provide students with guidance. The determination as to an alleged violation of the Student Code of Conduct will be left to the sole discretion of the College and will be made on a case-by-case basis.

- Engagement in behavior which in any way interferes with, disrupts and/or obstructs the teaching and learning process, including without limitation: research, administration, implementation of discipline procedures or other College authorized activities. Interference with, obstruction or disruption of teaching and learning process shall include, but not be limited to: tardiness; offensive language or behavior; disrespect to College instructors, visiting instructors, professors and/or visiting professors; and/or noise and improper use of electronic devices (e.g., cell phones, headphones, tablets, and/or laptops).

- Interference with the performance of the duties of any College employee, including without limitation officials, administrators, faculty members, support staff members and/or police officers.

- Physical abuse or harm against any person or persons.

- Threats of physical abuse or harm against any person or persons.

- Other conduct which threatens or endangers the health, safety or welfare of another person or persons.

- Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence and Stalking as defined in College Regulation 2.1001R Title IX Regulation Against Sexual Harassment.

- Harassment, intimidation or bullying of any person as defined above.

- Engagement in any abusive or demeaning conduct or obscene gestures directed toward another individual or group of individuals which has the effect of creating a hostile educational environment or impedes the rights or privileges of other members of the College community.

- Participating in any and all forms and/or acts of hazing. (Hazing is defined by College Policy and Regulation 6.0003 Anti-Hazing.

- Disregard for the property and rights of others including the right to be free from verbal abuse or harassment.

- Theft, larceny, embezzlement, fraud, or the temporary taking of the property of another, including, but not limited to, books and computers or other electronic devices, without permission. b) Possession and/or attempted sale of any stolen goods.

- Vandalism, malicious destruction, damage, defacing, or misuse of College property, private property, including library materials and/or all computers. b) Littering and/or disposal of garbage/recycling in places other than designated bins throughout College property.

- Unauthorized use of firearms, replicas of firearms, ammunition, explosives, fireworks, other dangerous substances or materials or weapons.

- Unauthorized possession of firearms, replicas of firearms, ammunition, explosives, fireworks, other dangerous substances or materials or weapons.

- Unauthorized brandishing of firearms, replicas of firearms, ammunition, explosives, fireworks, other dangerous substances or materials or weapons.

- Unauthorized use, possession and/or alteration of firefighting equipment, safety devices, College Police property, and/or other emergency or safety equipment.

- Setting a fire on College Premises without proper authority.

- Inappropriate use of any combustible or chemical or flammable substance which may present a fire hazard, annoyance, threat, or danger to property or any person on College Premises.

- Obstructing or restraining the passage of any person at an exit or entrance to College Premises.

- Preventing or attempting to prevent by force, violence or by threats of force or violence, the entrance or exit of any person to or from College Premises without the authorization of the administration of the College.

- Unauthorized occupation, unauthorized entry or unauthorized use of any College facility or College-related facilities or College Premises.

- Intentional making of a false report of a bomb, in any building, structure, or facility on College Premises.

- Intentional making of a false report of a fire in any building, structure, or facility on College Premises, including by means of activating a fire alarm.

- Intentional making of a false report of any other emergency in any building, structure or facility on College Premises.

- Disorderly conduct.

- Rioting, inciting to riot or assembly to riot.

- Possession or use of any scheduled drug, such as narcotics, barbiturates, central nervous system stimulants, marijuana, sedatives, tranquilizers, hallucinogens, or other drugs or chemicals.

- Manufacture, sale, distribution or possession for distribution of any scheduled drug, such as narcotics, barbiturates, central nervous system stimulants, marijuana, sedatives, tranquilizers, hallucinogens, or other drugs or chemicals.

- Possession of alcoholic beverages in any form on College Premises, except in those areas of the College Premises where the President or his/her designee has authorized the serving of alcoholic beverages, subject to prescribed regulations and federal and state law.

- Consumption of alcoholic beverages in any form on College Premises, except in those areas of the College Premises where the President or his/her designee has authorized the serving of alcoholic beverages, subject to prescribed regulations

and federal and state law.

- Visible Intoxication from any legal or illegal substance as defined in this code while on College Premises.

- Failure to present student identification to a College employee, including without limitation, officials, administrators, faculty members, support staff members and/or police officers in response to a request. The required form of identification shall be a current and validated College identification card, driver's license, military identification card, county photo identification card, and/or passport.

- Failure to comply with the directives of a College employee, including without limitation officials, administrators, faculty members, support staff members and/or police officers acting in the performance of their duties.

- Violation of any published policies, rules or regulations promulgated by an official College office, including without limitation, campus motor vehicle laws and regulations or the Smoke Free College Environment policy.

- Any violation of the College's Unattended Minors Regulation which requires registered students to be responsible at all times for their children/guests at any Brookdale location under the age of 18.

- Failure of a student to respond to written communication from a College official in connection with an alleged violation of the Student Code of Conduct.

- Malfeasance in or misuse of membership in a student organization or on an athletic team which is injurious to the welfare of the College, any of its employees, students or student organizations or athletic teams.

- Failure to abide by, or violation of, any sanction imposed by the Vice President for Student Affairs; the Vice President for Academic Affairs; the President and/or the Board of Trustees.

- Engagement in any form of gambling while on College Premises or at functions sponsored by the College at any location.

- Misrepresentation of oneself, a student organization or an athletic team to be an agent of the College.

- Accessing, modifying and/or transferring electronic data system software or computing facilities without proper authorization.

- Using or misusing the College's name, logo or seal for soliciting funds, sponsoring activities or on printed matter without the express written approval of

the proper College authority.

- Falsification, alteration or withholding of information related to academic records and/or documents.

- Furnishing false information to a College employee with intent to deceive.

- Failure to meet any College-related financial obligations.

- Violating the terms of any disciplinary sanction and/or penalty imposed in accordance with this Student Code of Conduct.

- Any action which could constitute violation of existing local, state or federal law on College Premises or off-campus when such violation adversely affects the College.

I. Sanctions and Penalties

The sanctions and penalties set forth below may be applied either singularly or in any combination as appropriate to the circumstances of each case.

1. Verbal Reprimand: Verbal admonition against further violation of the Student Code of Conduct.

2. Written Reprimand: Written warning placed in a student's file for having violated the Student Code of Conduct.

3. Restitution: The obligation to replace or pay for property damaged to compensate for losses incurred or to provide a campus service as a result of a violation of the Student Code of Conduct.

4. Conditional Probation: Temporary loss of College rights and privileges until specified conditions are met, such as submission of letters of apology and/or doctor's releases, etc.

5. Disciplinary Probation: Loss of participation in College-related activities for a specified period of time. Disciplinary Probation may also entail the satisfaction of certain enumerated conditions in order for a student to be removed from probation.

6. Fine: Monetary sum imposed as a penalty for an offense.

7. Community Service: Assigned community service work to fit a particular violation of the Student Code of Conduct.

8. Suspension: Exclusion from all or specified classes and other College-related activities for a specified period of time. When a student is suspended from class(es), they will not receive a refund and will earn a “W” grade for the course(s). There may also be an impact to the student’s financial aid standing at the College.

9. Expulsion: Permanent dismissal from classes and College-related activities. When a student is expelled from classes, they will not receive a refund and will earn a “W” grade for the courses. There may also be an impact to the student’s financial aid standing at the College.

10. Summary (Temporary) Suspension: Exclusion from all or specified classes and other College-related activities until due process procedures are completed. This sanction may be imposed by the Vice President for Student Affairs in the following instances:

    - A threat of safety to the student or College community;
    - A severe disruption of College activities; or
    - If a student refuses to respond to a summons to appear before the College’s designated Student Conduct Officer or his/her designee.

J. Enforcement

- Initial Action. Any individual student, group of students and/or student organization violating this Student Code of Conduct will be referred to the College’s designated Student Conduct Officer or designee for disciplinary measures in accordance with the provisions of this Code of Student Conduct.

- Minor offenses. In the case of all offenses deemed by the College’s designated Student Conduct Officer or designee not to constitute acts which would result in suspension or expulsion of the student(s), the Student Conduct Officer may determine disciplinary actions as stated in paragraphs “1” through “7” of the Sanctions and Penalties section of this Code of Student Conduct, above. These offenses shall be deemed “minor offenses.” The Student Conduct Officer will investigate allegations of an incident violating this Student Code of Conduct, notify the student of the allegations regarding the incident and advise the student of the charges against him/her; hear the student’s comments about the incident, when possible; make a determination about whether or not, if true, the allegations constitute a minor offense and, if so, the penalty or sanction to be imposed; notify the student of that determination within a reasonable period of time and notify the student of the appeal procedures when appropriate. Any student may appeal a determination with respect to a minor offense as stated in paragraph “1” of the Appeals Section of this Student Code of Conduct, below.

- Major Offenses. In any case in which the violation is of such a nature that, in the opinion of the College’s designated Student Conduct Officer, suspension or

expulsion from the College could be imposed, the Student Conduct Officer shall bring the matter before the Student Conduct Board in accordance with the following procedures:

- The Student Conduct Board will be convened to hear all cases which could result in suspension or expulsion. The Student Conduct Board will be composed of one (1) representative of the College faculty, one (1) representative of the College staff, and one (1) student. A training program for potential Student Conduct Board members will be held each Fall Term.

- In such cases, the Student Conduct Officer or his/her designee, acting as a non-voting member of the Student Conduct Board, will arrange with the student charged with violation of the Student Code of Conduct the time and place of the hearing before the Student Conduct Board, which said notice will advise the student of the charges against him/her; the student's right to question witnesses against him/her; the student's right to produce witnesses on his/her behalf; and the student's right to select counsel of his/her own choosing. Counsel will be allowed to advise the student or students charged with violation of the Student Code of Conduct, but will not be permitted to speak and/or examine witnesses at the hearing. Other College students, faculty and staff may attend the hearing only upon the invitation of the Student Conduct Officer or if they are presented as witnesses by the student whose conduct is the subject of the hearing. The Student Conduct Board will be convened to consider the alleged violation of the Student Code of Conduct as soon as possible in proximity to the time of the alleged incident.

- The Student Conduct Officer or his/her designee will present all charges against the student at the hearing before the Student Conduct Board.

- The Vice President for Student Affairs or the College Officer of the Day will assume the role of the Student Conduct Officer as stated in this Student Code of Conduct if there exists a specific conflict of interest for the Student Conduct Officer in any pending case.

- At the hearing, the Student Conduct Board will hear the charges against the student and hear the statements of witnesses for and against the student and may question the witnesses. The Student Conduct Board will conduct a hearing about alleged violations of the Student Code of Conduct by more than one (1) student in the same case and/or pertaining to the same incident at one hearing.

- Upon the conclusion of the hearing and after deliberation, the Student Conduct Board will render its decision based upon the preponderance of evidence presented at the hearing, both in writing and through verbal

testimony.

- The Student Conduct Officer will notify the student charged of the decision of the Student Conduct Board within 24 hours of receiving the decision of the Student Conduct Board.

- A taped or digitally recorded record of all Student Conduct Board hearings shall be made. The record shall be retained by the College in accordance with College policy and regulation and relevant federal and state law.

- Violations determined to have occurred and penalties imposed may be publicized in the College newspaper without mention of or alluding to the names of the persons involved in the incident resulting in a violation of this Student Code of Conduct.

K. Appeals

A student who is found responsible of a code violation may appeal a decision of the Student Conduct Officer or Student Conduct Board by notice in writing filed with the Vice President for Student Affairs, within five (5) working days after notice of the decision.

The student can appeal based on any of the following grounds:

a. A sanction that is (substantially) disproportionate to the severity of the violation.

b. A material deviation from written procedures that jeopardized the fairness of the process.

c. A demonstratable bias by the Student Conduct Officer or member(s) of the Student Conduct Board.

d. New information, unavailable at the time of the hearing, that could be outcome determinative.

The Vice President for Student Affairs, upon the filing of such appeal, will review the proceeding in the matter and: (a) affirm the decision of the Student Conduct Board; (b) revise the decision of the Student Conduct Board; or (c) convene an appeal committee. In the event the Vice President for Student Affairs affirms the decision of the Student Conduct Board, the Vice President for Student Affairs will advise the student in writing within three (3) working days of the decision.

In the event the Vice President for Student Affairs on any appeal filed with him/her determines to convene an appeal committee, the following procedure will be followed:

a. The Vice President for Student Affairs will appoint an appeal committee consisting of two (2) students and one (1) representative of the College faculty and staff.

b. The Vice President for Student Affairs will convene such appeal committee, give notice to the student appellant of the time and place of the meeting of the appeal committee to hear the appeal, and will preside over the appeal hearing.

c. The appeal committee, after hearing the matter, may take any of the following actions: (1) Affirm the decision of the Student Conduct Board; (2) Revise decision of the Student Conduct Board; or (3) Render a new decision.

d. The Vice President for Student Affairs will advise the student in writing of the decision of the appeal committee within one (1) working day of the appeal committee's rendering of its decision.

L. Suspension

Suspension of a student may be imposed when the Student Conduct Board has determined that a Major Offense has occurred or when the conditions of disciplinary probation are disregarded. Suspension is imposed only on the basis of the recommendation of the Student Conduct Board and with the approval of the Vice President for Student Affairs. Suspension is applied for a given period of time, and the term is specified to the student.

A student suspended from the College forfeits all rights and privileges of a student, including participation in all College-related or College-sponsored functions. All suspension actions will be noted in the student's College record.

Any student may be summarily suspended by the Vice President for Student Affairs or the College Officer of the Day for a period not to exceed ten (10) College working days pending a hearing before the Student Conduct Board.

In the event of any appeal of the Student Conduct Board decision, the Vice President for Student Affairs may suspend the student or continue any previous suspension pending the disposition of the appeal.

M. Expulsion

Expulsion of a student from the College may be imposed in situations in which Major Offenses of this Student Code of Conduct have occurred or when a series of suspensions have been issued to a student without sufficient improvement in the student's conduct. Expulsion may be recommended to the College President by the Vice President for Student Affairs.

N. Authority of the College President

Any expulsion imposed on a student for violation of this Student Code of Conduct at all times will be subject to the approval of the President of the College. Nothing in this Student Code of Conduct will be deemed to limit the final authority of the President of the College in all matters relating to violations of this Student Code of Conduct and the imposition of the aforementioned sanctions and/or penalties.

VI. Responsibility for Implementation

Vice President of Student Affairs

Revised: 7/12/2001
Effective: 7/12/2001
Updated: 3/2009
Revised: 11/2005
Approved: President, 1/26/2016
Revised: President, 1/29/2018
Revised: President, 2/3/2022
Revised: President, 1/24/24*
Approved: President, 7/16/2025

*Formerly titled 6.3000R Student Conduct Code and Academic Integrity Code.