On behalf of the Office of the Dean of Students…

Welcome To MONTCLAIR STATE UNIVERSITY!!!!
Dean of Students

The mission of the Dean of Students Department within the Division of Student Development and Campus Life is to provide a growth enhancing environment in which all Montclair State University students learn and develop to their fullest potential.

The offices and centers in the Dean of Students Department work together to promote the psychological, physical, intellectual, occupational, spiritual and ethical wellness of all students. Students are served through the appropriate direct interventions and the delivery of services and information that enable them to reach their academic and personal development goals.

We invite you to contact the Dean of Students Office or the departments under the Dean of Students which are listed to your left if you need assistance, information or just want to get involved.

Important Forms/Policies

- Demonstration and Assembling Policy
- Grade Grievance Procedure
- Medical Withdrawal Policy
- Report of Student Concern Form
- Request for Course Withdrawal Exception
- Resource Guide
- Sexual Harassment/Sexual Assault Reporting Procedure
- Crisis Intervention Policy
- Parents & Family Newsletter

Human Dignity and Civility Code

Montclair State University recognizes its responsibility to foster an atmosphere of respect, understanding and good will among individuals and groups, with special sensitivity to those most likely to be subjected to disrespect, abuse and misunderstanding because of age, disability, ethnicity, gender, gender identity or expression, national origin, race, religion, and sexual orientation.
Know the Rules!!!

Please review the University Code of Conduct located at:

https://www.montclair.edu/policies/student/student-conduct/code-of-conduct/

Every student is held accountable to the Code.

Every student needs to be knowledgeable about and abide by all policies.
General Guidelines

**Standard of Evidence/Legal**
1. Preponderance of evidence---i.e. more likely than not.
2. Not affected by criminal system/outcomes.
3. Montclair State has University Police (not security).

**Complicity**
1. If in proximity of violation, can be held responsible for violation.
2. If aid in violation, can be held responsible for violation.
3. Remove yourself immediately; do not chance it.
**Notice**

1. Notice (meetings, outcomes, etc..) is sent via University email.

2. Considered delivered when sent.

3. Students are expected to check their University emails daily.

**As of today... you are a RED HAWK!!!**

**Authority**

1. Policies apply both on-campus and off-campus.

2. Any incident on-campus.
“What Happens?”

1. Incident happens and is reported by faculty, RES staff, Police, etc…

2. Student will receive a Conduct Conference Meeting (CCM) request letter from an administrator via University email to come and discuss the options provided for the student in the conduct process.

3. If a student fails to meet, a decision will be made without the student’s input; a plea of not responsible will be entered on behalf of the student. However, the student loses appeal ground of “additional evidence” if they do not attend.
“What Happens?”

4. The student will choose one of the following for resolution of the issue:

- **University Administrative Hearing (UAH)**—only the student and the administrator; can have University Adviser* present.

- **University Panel Hearing (UPH)**--- student goes before a group consisting of faculty, administrators and students. Student can have either one University Advisor* or one Legal Counsel* with them but only the student can speak during the process. Student can also have event witnesses present (not character witnesses).

*University Advisor and Legal Counsel have extremely limited roles in process; can only advise student to answer/not answer questions posed during the hearing.
“What Happens?”

5. The student will receive the outcome via University email.

6. The student has the option of one-level of appeal based on the following criteria within three business days of outcome being delivered electronically:

- Procedural error or bias can be proven
- Additional evidence can be provided
- Sanction is unduly severe

7. The student will receive appeal outcome via University email. Appeal outcome can drop original outcome, modify it or keep it the same. No increase of sanction will occur.

8. The process concludes. **THERE IS NO APPEAL OF AN APPEAL.**
Review of Policies

Alcohol
1. Not allowed in halls; only allowed in Village with all residents of age and all guests of legal drinking age present, regardless of who is consuming.
2. If present, can be held to policy violation regardless of consuming (Complicity statement).
3. No drinking games allowed (i.e. beer/water/etc… pong).

Drugs
1. Use/possession is not allowed, PERIOD; even “medical marijuana” and imitation products.
2. “0-tolerance” for selling/distribution (including intent of) of drugs.
3. Housing + Drugs = NO HOUSING.
Some more policies

Academic Dishonesty
1. Intentional or not, still a violation.
2. If it is not yours then cite it (however, if you have used it before, you need to get permission in advance from your Faculty to reuse it).
3. Best tip--Check with your professor and visit the Center for Writing Excellence for assistance.

Classroom Behavior
1. Be respectful of your professors and classmates.
2. Inappropriate language and actions can lead to your full removal from class.
3. General rule…be polite to all.
**Policies (few more)**

**Theft**
1. Secure your items (lock your car doors, room doors, etc...).
2. If you take something that is not yours, it is theft (clothes, money, parking boots, laptops, etc...).
3. If it looks too good, it usually is (you can be held accountable for possession of stolen goods...i.e. IDs, laptops, etc...).

**Hazing and Weapons**
1. Both come with minimum sanction of Suspension from the University.
2. Individuals and the organization can be held accountable for hazing.
3. Weapons include real (guns/knifes/etc.) and imitation items as well.
Policies (yes, more…)

Residence Halls
1. Students are accountable for your room and anything that happens within their room (unauthorized items; fire safety; etc.)
2. Respect other’s wishes when it comes to how loud they are or their music/tv is.
3. Guest Policy. Residents must sign guests in-and-out of the halls, as they are responsible for their guest’s actions at any point the guest is within the hall.
4. Fire Safety---tampering with fire safety devices, including exit signs, in any manner WILL lead to your student’s removal from residential facilities.
5. Occupancy---there are limits of how many individuals can be within any given room/apartment.

Smoking
1. Montclair State is becoming smoke free (fully by 2020).
2. Smoking only allowed in designated areas of campus (locations are marked; not near entrances of buildings).
3. Any type of smoking, including hookah/electronic/vaping, is never permitted inside of a building.
Policies (continued)

**Threat or Infliction of Bodily Harm**

1. No fighting allowed.

2. Remove yourself from potential risks.

3. Montclair State does not have a “self-defense” policy.

**Harassment**

1. No tolerance for bias incidents or sexual harassment.

2. If student is being harassed or bullied, tell someone.

3. Incidents can be one-x-one, phone, texting, online, etc. You will be held accountable for statements you make online (Facebook, Twitter, email, texting, etc.).

4. Please note that civil discourse is part of the academic education.
Social Media: Think before you post....

IT’S NOT ABOUT HAVING THE “RIGHT” TO SAY IT...

Social media is the permanent record

- Harvard University Rescinds Admissions Offer to 10 Students due to Social Media Posts (2017)
- Penn State Fraternity’s Secret Facebook Photos May Lead to Criminal Charges (2015)
- Kansas State University Expels Students for Posting Racist “Blackmask” on Snapchat (2016)
- Montclair State University Rescinds Student’s Admission Due to Online Threat (2015)
- University of Oklahoma Greek’s Racist Chant Leads to Expulsion of 2 Students (2015)
What is Title IX?

• A federal statute that prohibits sex discrimination in educational institutions receiving federal financial assistance

• Title IX was further explained in the Dear Colleague Letter (DCL) in April 2011:
  • Guidelines on our obligations for compliance
  • Clarified/Expanded what was covered under sexual discrimination
  • Detailed methods to prevent and resolve sexual discrimination cases
Title IX

Title IX Prohibits:

• Sexual harassment (attempted or actual)

• Sexual violence (attempted or actual): rape, sexual assault, sexual contact, sexual coercion, stalking, and intimate/domestic partner violence

All reports of actual or attempted sexual misconduct should be directed to the University Deputy Title IX Coordinator: Dean Yolanda Alvarez

alvarezyo@mail.montclair.edu
Montclair State is required to...

• Take immediate steps to address any accusation of sexual harassment and/or assault

• Implement measures to prevent the occurrence of sexual harassment and/or assault

• Provide a fair process to **ALL** students involved

• Keep all involved students notified of outcomes

• Protect the complainant (accuser)—**NO RETAILATION.**
Consent...what is it?

• Is voluntary, sober, wanted, informed, mutual, honest, and verbal agreement

• Is an active agreement: Consent cannot be coerced

• Must be asked for every step of the way; if a partner wants to move to the next level of sexual intimacy they need to ask

• Is never implied and cannot be assumed, just because individuals are in a relationship does not mean one partner has permission to have sex with the other partner

• Is not inferred because a person did not say “no”; absence of “no” does not mean “yes”

https://www.uhs.uga.edu/consent/
Resources

Campus Resources

• Sexual Assault Response Team (SART) – (973) 655-3459

• University Police – (973) 655-5222

• Counseling and Psychological Services (CAPS) – (973) 655-5211

• Dean of Students – (973) 655-4118

Tip Lines

• MSU PD – Confidential Tip Line (973) 655-8477

• Rave E-Tips – 67283 from any cell phone
Medical Amnesty Policy (MAP)

Students who seek emergency medical attention for themselves or others related to consumption of alcohol/drugs will not be held responsible for violations of the Montclair State University Code of Conduct (specifically: Section II, Letter B and/or Letter I.), provided they comply with certain conditions.

montclair.edu/dean-of-students/student-conduct/medical-amnesty/
PNG--Persona Non-Grata

- Students who are removed from residential facilities are not allowed to visit/reside in housing during specified time period.

- Students who are suspended from University not allowed to be on campus during this period.

- Students who are expelled from University never allowed to be on campus.

- Non-students who are involved in ANY policy violation receive PNG status (including your friends).

- Individuals who violate policy are subject to arrest for defiant trespass and additional sanctioning.
Sanctions of the Conduct Process

• University Warning (you made a mistake…)

• University Probation (you REALLY made a mistake….)
Sanctions of the Conduct Process

- **University Suspension:**
  - One-Two semesters
  - Not allowed on campus
  - No Refund
  - WD’s in all classes
  - Transcript Notation

- **University Expulsion:**
  - FOREVER
  - Not allowed on campus
  - No Refund
  - WD’s in all classes
  - Transcript Notation
FERPA

The *Family Educational Rights and Privacy Act of 1974*, commonly referred to as FERPA, is a federal law that is designed to protect the privacy of and limit access to the educational records of students. In short, all educational records are strictly the student’s business unless the student gives a third party the right to this information in writing.

The University holds that without a waiver signed by student, an administrator is not able to speak on any incident involving the student with another party. *Speaking does not mean “negotiate an outcome”.*

There are no “blanket” waivers. A new waiver would be required for each individual incident.
Online Educational Programs

• University is dedicated to assist students in understanding risks associated with alcohol/drug usage/sexual assault

• Incoming students will have to take online courses in **August** (has brief follow-up 30 days later). Full completion is required.

• Will receive information via University email

• No charge to student.

• If fail to complete, will result in conduct action.
### Storytelling and Numbers…

Let’s look at graduation* numbers compared to students who have been suspended/expelled…

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Graduation #</strong></td>
<td>4524</td>
<td>4654</td>
<td>5086</td>
<td>5309</td>
</tr>
<tr>
<td><strong>Suspensions</strong></td>
<td>14</td>
<td>24</td>
<td>18</td>
<td>11</td>
</tr>
<tr>
<td><strong>Expulsions</strong></td>
<td>9</td>
<td>14</td>
<td>12</td>
<td>7</td>
</tr>
<tr>
<td></td>
<td>5</td>
<td>10</td>
<td>6</td>
<td>4</td>
</tr>
</tbody>
</table>

…and counting©

**Which number will you be??**

"Choice, not chance, determines your destiny" - Aristotle
Our goal is to allow students a safe environment conducive to their learning experience. If you have questions regarding a policy or process, ask someone (Resident Assistant, Community Director, Office of the Dean of Student staff, etc…).

If you are unsure if you can have/do something, again….. ASK SOMEONE. Remember, as both adults and students, it is your responsibility to know the policies so that you have a fulfilling experience during your years at Montclair State University.

Your success and experiences will be based on your choices, decisions and actions.
Jerry S. Collins, M.S. Ed., A.B.D.
Director of Student Conduct
Office of the Dean of Students
Student Center, Suite 400

collinsje@mail.montclair.edu

montclair.edu/dean-of-students/student-conduct/