

7.1.2 Student Conduct Code

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Approved by the Ithaca College Board of Trustees February 11, 1994.

This student conduct code is designed to promote the educational aims of Ithaca College and to outline the regulations and procedures of the College community regarding students' rights and responsibilities. This Ithaca College Student Conduct Code supersedes previous campus regulations in these areas.

Proposed changes to this student conduct code may be submitted to the president through the Office of Student Conduct & Community Standards and must be acted upon by the board of trustees, which has ultimate authority over and responsibility for the College.

7.1.2.1 Statement of Philosophy [I]

As amended by the Ithaca College Board of Trustees May 16, 2014.

As an academic community, Ithaca College is committed to providing an environment that encourages scholarship and personal growth. Students are expected to meet academic challenges. They are also expected to develop maturity, self-sufficiency, responsibility, self-understanding, and an understanding of and respect for the rights of others.

Academic communities differ from other communities in several ways. For the purpose of this code, two differences are particularly worthy of emphasis. First, the primary mission of educational institutions is the pursuit of knowledge. The environment must be conducive to teaching, learning, thought, and research. Second, campus living environments are unique. On a residential campus such as Ithaca College, students live in close proximity to one another and interact continuously in their day-to-day living. The potential for noise, disruptions, group activities, or other infringements upon the rights of community members is always present.

These differences make it imperative that members of this academic community be particularly sensitive to their individual responsibilities for respecting the rights of others, especially the right to quiet, thoughtful study. Preservation of the facilities and character of the institution for future generations is also essential. To this end, rules and regulations are necessary for the orderly conduct of the educational process and the institution. Such rules are incorporated in the Ithaca College Student Conduct Code. Ithaca College students are expected to abide by this code and by all local, state, and federal laws.

As an educational institution, Ithaca College is committed to the education of the whole person. This includes social, emotional, and physical, as well as intellectual, development. The basic philosophy of the Ithaca College judicial system and this code is educational in nature. The judicial process is not intended to punish students but instead to challenge students' moral and ethical decision making and to help them change their behavior and actions to meet our community standards. If a student is unable or unwilling to make changes in their behavior, the judicial process may determine that the student should no longer have the privilege of being a member of the on-campus or academic community.¹

The goals of the judicial system are to establish and enforce reasonable and clear limits designed to protect the community and the rights of its members, to develop and support a positive living and learning environment, to educate students regarding responsibility and accountability for actions, to encourage and foster self-insight and self-initiated change of behavior, to protect the rights of individuals accused of violating the College's rules and regulations, and to provide learning

experiences for those who participate in the judicial system's ongoing maintenance and implementation.

7.1.2.2 Statement of Rights and Freedoms [II]

Freedom of inquiry and freedom of expression are essential elements in a campus community. Students should be encouraged to develop the capacity for critical judgment and to engage in a sustained and independent search for knowledge. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. All members of the academic community have the responsibility to maintain and respect conditions conducive to learning. Students must exercise their freedom with maturity and responsibility.

7.1.2.2.1 STUDENTS' BILL OF RIGHTS RELATED TO SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE AND STALKING

All students have the right to:

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed, or should have acted in a different manner to avoid such crimes or violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;

- 10.** Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
 - 11.** Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.
- The above statement of rights is required under state law and will be posted around campus and on the SHARE website. More information about filing a report and options for confidential disclosure is available on the College's SHARE website at www.ithaca.edu/SHARE.

7.1.2.2 FREEDOM FROM DISCRIMINATION

As amended by the Ithaca College Board of Trustees October 13, 2017.

As required by law, no student shall be discriminated against on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, marital status, familial status, military status, national origin, or disability. In addition to accepting these legal requirements, Ithaca College, as an open community, does not discriminate on the basis of personal preferences, such as individual political affiliation, insofar as related behaviors do not conflict with institutional policies. Rights include, but are not limited to, eligibility for academic programs, activities, and employment, and use of facilities and housing. Freedom from discrimination includes the right of students to pursue academic study and to live in an environment free from bias-based harassment or intimidation.

7.1.2.3 FREEDOM OF INQUIRY

As amended by the Ithaca College Board of Trustees October 13, 2017.

Students and student organizations are free to examine points of view that interest them. The student body is free to invite any person it chooses to address it on any topic as long the address does not disrupt the essential operation of the institution and/or does not violate the Rules for the Maintenance of Public Order found in [section 2.31](#) of the Ithaca College Policy Manual.

7.1.2.4 FREEDOM OF EXPRESSION

As amended by the Ithaca College Board of Trustees October 13, 2017.

Students and student organizations are free, publicly and privately, to hold discussions, pass resolutions, distribute leaflets, circulate petitions, and take other orderly action that does not disrupt the essential operation of the institution and/or does not violate the Rules for the Maintenance of Public Order found in [section 2.31](#) of the Ithaca College Policy Manual.

Communications media are free of censorship and advance approval of copy, and the editors and managers are free to develop editorial policies and news coverage with the understanding that students and student organizations speak only for themselves.

7.1.2.2.5 FREEDOM IN THE CLASSROOM

Students are responsible for learning the content of courses of study but have the right to take reasoned exception to the data or views offered in the classroom. Students have the right to expect that course descriptions will reflect actual course content, to be informed of the standards on which evaluation in each course will be based, and to be fairly and justly evaluated based only on performance in the course. Students have the right to expect a conscientious effort from faculty.

7.1.2.2.6 RIGHT TO INSTITUTIONAL PARTICIPATION

Students have the right to participate in institutional policy making. The student congress is the official representative body of the student body. Composition and responsibilities of the student congress are outlined in the constitution of the Student Governance Council found in [section 1.6.5](#) of Volume I of the *Ithaca College Policy Manual*.

7.1.2.2.7 FREEDOM OF ASSOCIATION

Students are free to organize and join associations for educational, political, social, religious, or cultural purposes.

7.1.2.2.8 RIGHTS OF CITIZENSHIP

As amended by the Ithaca College Board of Trustees February 13, 2003.

Students are entitled to the same rights and freedoms as all citizens. They are also subject to civil law as well as campus regulations. If students violate the law off campus, they may incur penalties prescribed by civil authorities.

7.1.2.2.9 RIGHT TO PRIVACY

As amended by the Ithaca College Board of Trustees October 12, 2007.

Students are protected from arbitrary and capricious invasions of privacy and entry into their residences. Ithaca College reserves the right for personnel acting in the performance of their duties to enter student rooms, apartments, and suites in order to ensure that all health, safety, and fire codes are being followed, provide maintenance and repairs, respond to emergencies, and to locate missing property and/or prohibited articles. Such entries may reveal violations of the student conduct code or the residential life rules and regulations, which may result in fines and/or disciplinary action being taken against the student(s). Ithaca College cannot interfere with any sworn law enforcement official in conducting room searches if such a search is legal under state or federal law and is within the authorized performance of the official's duty.

7.1.2.2.10 FREEDOM FROM IMPROPER DISCLOSURE

In accordance with the Family Educational Rights and Privacy Act, students shall have access to educational records maintained on them, and the records shall be protected from disclosure to third parties except as permitted by law. Academic and disciplinary records will be maintained separately. The procedure for access is explained in [section 7.1.1](#) of this volume.

7.1.2.2.11 RIGHT TO A HEARING ON CAMPUS

As amended by the Ithaca College Board of Trustees May 21, 2011, May 16, 2014, and May 16, 2015.

All students accused of violations of the "Statement of Responsibilities" (below) will be guaranteed written notice of charges and have the right to a hearing. This right includes adequate notice of hearing, information concerning the evidence against them, the opportunity to present evidence in their own behalf, and written notice of the decision. Students should be aware that the student process is different from criminal and civil court proceedings. Procedures and rights in the student conduct process are conducted with fairness to all, but may not include the same protections of due

process accorded by a court of law. Decisions will be made based on preponderance of evidence showing that it is more likely than not that a student was responsible for a violation. If a student with a disability needs a reasonable accommodation in order to participate in any aspect of the student conduct process, including an individual student conduct hearing or a Conduct Review Board, then the student must submit a request through the Office of Student Accessibility Services.¹

7.1.2.3 Statement of Responsibilities [III]

As amended by the Ithaca College Board of Trustees May 14, 2021.

As members of the Ithaca College community, students have an obligation to know and obey the rules and regulations of the institution as well as civil laws. A violation of any of the following regulations is cause for disciplinary action.

7.1.2.3.1 GENERAL PROVISIONS [III.A]

7.1.2.3.1.1 Jurisdiction

This Code may apply to conduct where the following circumstances are present:

1. JURISDICTIONAL LOCATION, including any of the following:

- I. College Programs and Activities. This code shall apply to any and all lands or facilities owned, leased, or operated by Ithaca College, as well as any location where a student is engaged in a College activity, unless otherwise noted in the code. Examples include, but are not limited to, travel by athletic teams to events off campus, travel on academic field trips, and engagements by other College organizations in activities off campus. [III.A.1]
- II. Off-campus Conduct. Ithaca College may also apply the Student Conduct Code to students whose off-campus conduct is detrimental to the College's interests and poses a significant threat to the health, safety, and/or property of the College and its members.
- III. Virtual Spaces. The Ithaca College Student Conduct Code may also be applied to behavior conducted online, via e-mail or other electronic medium. A student may be in alleged violation of policy for online postings such as blogs, web postings, chats and social networking sites that are in the public sphere and are not private. Ithaca College does not regularly search for this information but could conduct an investigation if and when such information is brought to the attention of College officials.¹

- 2. CONDUCT WHILE A STUDENT.** Ithaca College retains jurisdiction over students who elect to take a leave of absence, withdraw or have graduated for any misconduct that occurred prior to the leave, withdrawal, or graduation.
- I. Proceedings prior to graduation. If conduct review procedures are initiated against a student at any time prior to the student's graduation from the College, additional sanctions may include a hold may be placed on the student's ability to re-enroll and/or obtain official transcripts and/or graduate, and a requirement that all sanction requirements must be satisfied prior to re-enrollment eligibility. In addition, a student who withdraws from the College while facing an alleged violation of the Student Conduct Code that may result in removal from on-campus housing, suspension or expulsion, may be subject to a notation on the student's transcript pursuant to section 7.1.2.8.14.
 - II. Proceedings after graduation. In the event of a serious misconduct committed while the student is still enrolled but reported after the accused student has graduated, Ithaca College may invoke these procedures and should the former student be found responsible, the College may revoke the student's degree.

3. OTHER ACCOUNTABLE ACTS:

- I. A student who assists in violating or incites others to violate any provision of this code may be charged as a responsible participant.* [III.A.2]
- II. An attempt to violate any provision of this code will be considered a violation.* [III.A.3]
- III. Students shall be responsible for the action(s) of their guest(s). [III.A.4]

7.1.2.3.1.2 College Business Day

- 1. Throughout this code, a **college business day** is defined as a regular business day (Monday through Friday, excluding holidays) during which the College is open and during which classes or final exam periods are scheduled pursuant to the **academic calendar** for the Fall, Winter, Spring, or Summer sessions. This excludes emergency closings, holiday closings, scheduled breaks, and periods in between the Fall, Winter, Spring, or Summer sessions.

7.1.2.3.2 COMPLIANCE WITH COLLEGE OFFICIALS* [III.B]

- 1. Students are required to provide proper identification upon request or otherwise comply with the reasonable requests of any College employee, including, but not limited to, Campus Center staff, Residential Life staff, Dining Services staff, and Student Auxiliary Safety Patrol (SASP) members acting in the performance of their duties. [III.B.1]

2. Students must appear as witnesses in disciplinary proceedings when requested to do so by the associate director of student conduct & community standards (or designee). [III.B.2]

7.1.2.3.3 PERSONAL HONESTY [III.C]

1. Students will be held responsible for adhering to the "Standards of Academic Conduct," as outlined in [section 7.1.4](#) of this volume. In particular, work submitted by a student should be the result of that student's own honest effort. If other sources are consulted, they must be acknowledged. Consultation in this context includes discussion with others as well as the use of written sources. This provision includes, but is not limited to, work prepared outside of class (e.g., homework, papers, take-home exams) and in class (e.g., quizzes and exams). [III.C.1]
2. Students will be held responsible for all acts of dishonesty, including personal misrepresentation, knowingly furnishing false information to the College, forgery, intentionally cashing checks with insufficient funds, and alteration or fraudulent possession or use of documents or instruments of identification. [III.C.2]
3. Students will be held responsible for acts of academic dishonesty involving computer resources and facilities, including College-owned computer equipment, College-owned software or software licenses, or College-owned or -operated computer networks. This includes, among other acts, wrongful collaboration, copying or plagiarizing academic work and/or intellectual property, unauthorized use or duplication of software, invasion of privacy, and theft of information. [III.C.3]

7.1.2.3.4 FREEDOM OF MOVEMENT, SPEECH AND COLLEGE ACTIVITIES* [III.D]

Intentional disruption or obstruction of teaching, guest lectures, research, administration, free movement, disciplinary proceedings, or other College activities may result in disciplinary action.

7.1.2.3.5 PERSONAL RESPECT AND SAFETY [III.E]

As amended by the Ithaca College Board of Trustees October 13, 2017.

1. Any action or situation involving verbal, mental, or physical assault and/or abuse, including harassment, intimidation, or other conduct that recklessly or intentionally endangers or threatens the health, safety, or welfare of any person on College-owned or -leased property or at College-sponsored activities, is prohibited and is cause for disciplinary action.* This provision includes bias-based harassment or intimidation as defined below. (Also see [section 7.1.2.2](#) Freedom from Discrimination.)

Definition of Bias-based Harassment or Intimidation: offensive conduct that is severe and/or pervasive and that substantially impairs a person's access to college programs or activities, such that the person is effectively denied equal access to the college's resources and opportunities on the basis of the person's race, color, religion, sex, sexual orientation, gender identity or expression, age, marital status, familial status, military status, national origin, or disability, or perceived membership in any of these classifications.

2. Acts of sexual harassment, as described in the College's Sexual Harassment Policy in [section 2.6](#) of Volume II of the *Ithaca College Policy Manual*, are prohibited and subject to disciplinary action.
3. Disruptive, or excessively noisy, behavior is cause for disciplinary action. [III.E.3].
4. *[Intentionally left blank.]*
5. Public Exposure – Deliberately or publicly exposing one's intimate body parts, public urination, defecation, and public sex acts are cause for disciplinary action.¹
6. Bullying or Cyber Bullying – repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally are not protected by freedom of expression and are cause for disciplinary action.¹
7. Hazing, defined as intentionally or recklessly subjecting any person to the risk of bodily harm, or severe emotional distress, subjecting a person to treatment intended to put that person in a humiliating or disconcerting position, or causing or encouraging any person to commit an act that would be a violation of law or college regulations for the purpose of initiating, promoting, fostering, or confirming any form of affiliation with any group, including, but not limited to, registered organizations or athletic teams on College-owned or -operated property or at College-sponsored activities is prohibited and is cause for disciplinary action.* Examples of hazing include, but are not limited to: forced consumption of alcohol, drugs, or any other substances; sleep deprivation; use of alcohol in drinking games or contests; paddling; forced tattooing or branding; creation of excessive fatigue; severe psychological shocks or humiliation (as determined by a reasonable person under all the circumstances); compulsory servitude; theft or misuse of property belonging to others. It shall not constitute a defense to the charge of hazing that the participant(s) took part voluntarily, that they voluntarily assumed the risks or hardship of the activity, or that no injury, physical or mental, in fact was suffered. All participants in hazing action are subject to disciplinary action. [III.E.5].
8. The College prohibits the possession or use of firearms, ammunition, fireworks, use of open flames, and/or other dangerous substances, weapons, or materials that are being used as or could be used as weapons at College sponsored activities or on College-owned or -operated property unless previously approved by permit through the Office of Public Safety. Ithaca College adheres to all New York State laws regarding firearms, ammunition, fireworks, and other dangerous substances or weapons. [III.E.6].
9. False fire alarms, false reports of fire or other dangerous conditions, failure to respond to fire alarms, and tampering with fire equipment are all cause for disciplinary action. [III.E.7].

- 10.** Recklessly or intentionally starting a fire or causing an explosion is cause for disciplinary action. [III.E.8].
- 11.** Sexual Misconduct - All forms of sexual misconduct, including but not limited to, sexual assault, sexual exploitation, domestic/dating violence, and stalking are expressly prohibited and subject to disciplinary action. The College will consider the effects of any forms of sexual misconduct that may occur off-campus when evaluating whether a student has caused or been subjected to a hostile environment on campus or poses a threat to the health, safety, and welfare of the College or any member of the college community. Sexual misconduct is a term used by the College's Sexual Misconduct, Domestic/Dating Violence, and Stalking Policy (at section 2.1 of the *Ithaca College Policy Manual*) to refer to all forms of inappropriate sexual communication or behavior, including that which takes the form of sexual harassment, nonconsensual sexual activity, sexual exploitation, as well as dating violence, domestic violence, and stalking which impacts or has the potential to impact the educational or employment environment of any member of the College community. Under this policy, the College will consider the effects of off-campus conduct when evaluating whether an individual has been subjected to a hostile environment on campus. While sexual misconduct can be a criminal offense under New York State law, a person's conduct may violate the College's prohibition against sexual misconduct even if it does not rise to the level of a violation of State law. Sexual misconduct can be committed by males or by females, and it can occur between people of the same or different sex.

I. Definition of Affirmative Consent for Sexual Activity: Affirmative consent is a knowing, voluntary and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

- i. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- ii. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- iii. Consent may be initially given but withdrawn at any time.
- iv. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore be unable to consent.
- v. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

vi. When consent is withdrawn or can no longer be given, sexual activity must stop.

II. Non-consensual sexual activity includes any of the following:

i. Sexual Assault: Sexual assault is sexual penetration, no matter how slight, without affirmative consent and is further sub-defined by the following:

Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, forcibly or without affirmative consent or where the victim is incapable of consent due to mental or physical incapacity.

Statutory Rape: non-forcible sexual intercourse with a person who is under the statutory age of consent. Ithaca College adheres to all New York State laws regarding the statutory age of consent to engage in sexual conduct.

ii. Non-Consensual Sexual Contact: Any intentional touching, however slight, for purposes of sexual gratification or with sexual intent, with an object or bodily part, by a person upon another person that is without affirmative consent.

III. **Sexual exploitation** is when one takes non-consensual sexual advantage of another.

Examples of sexual exploitation include but are not limited to observing or recording others engaged in sexual or private activity (such as undressing or showering) without the consent of all involved; or taking intimate pictures of another but then distributing the pictures to others without the photographed person's consent; acts of incest; engaging in sexual activity with another while knowingly infected with a sexually transmitted disease (STD) without informing the other person of such infection; or exposing one's genitals in non-consensual circumstances.

IV. **Sexual harassment** is a form of sexual misconduct. For information regarding sexual harassment, see the College's Policy on Sexual Harassment at Section 2.6 of the Policy Manual.

12. Dating Violence is expressly prohibited and subject to disciplinary action. Dating violence refers to physical violence (hitting, punching, kicking, etc.), threats of violence or acts of physical intimidation or coercion committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- 13.** Domestic Violence is expressly prohibited and subject to disciplinary action, Domestic violence refers to physical violence, threats of violence or acts of physical intimidation or coercion between spouses or former spouses, cohabitating romantic partners or individuals who were formerly cohabitating romantic partners, individuals who share a child in common, or others in a family relationship.
- 14.** Stalking is expressly prohibited and subject to disciplinary action. Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress. Stalking behavior includes but is not limited to repeated, intentional following or observing another; or using “spyware” or other electronic means to gain impermissible access to a person’s private information.

7.1.2.3.6 COMMUNITY HEALTH [III.F]

Students are not allowed to have animals on campus, except as described in the "Rules and Regulations" ([section 7.5.2](#) of this volume) and at www.ithaca.edu/reslife/handbookindex.htm .

7.1.2.3.7 USE OF ALCOHOLIC BEVERAGES, DRUGS, AND DRUG PARAPHERNALIA [III.G]

As amended by the Ithaca College Board of Trustees October 21, 2016.

Note: The use of drugs and/or alcohol shall in no way limit the responsibility of students for the consequences of their actions.

- 1.** Ithaca College adheres to all New York State laws regarding alcoholic beverages. Persons under the age of 21 are prohibited from purchasing, possessing or consuming any type of alcoholic beverage anywhere on campus at any time, including all residence hall rooms and apartments. Students age 21 or older may possess and consume alcohol in any residence hall room or apartment, but they are prohibited from purchasing alcohol for or providing alcohol to minors. Students are responsible for adhering to all policies and guidelines regarding use of alcohol that are contained within the Ithaca College Student Conduct Code, Ithaca College Campus Event Policy ([section 2.8.8.6](#) of Volume II), and the Residential Life Rules and Regulations ([section 7.5.2](#) of this volume). [III.G.1]
- 2.** All persons including members of the campus community, guests, and participants in College-sponsored functions are prohibited from being in possession of open containers of any type of alcoholic beverage in public areas on campus, unless at a registered event. [III.G.2]
- 3.** Possession of multiple-quart containers (kegs, beer balls, wine boxes, or any container that has a tap) is prohibited in residence hall rooms at all times. Possession of multiple-quart containers

(excluding kegs) is permitted in College-owned or operated apartments but only at registered gatherings. The size of the various apartments will be considered in approving the number of 21-year-old students who will be approved to attend a gathering, and therefore, the amount of alcohol, which will be permitted. (See the Ithaca College Campus Event Policy in [section 2.8.8.6.1](#) of Volume II of the *Ithaca College Policy Manual*). [III.G.3]

4. Consuming alcohol or other prohibited or controlled substances to the point where the student's behavior poses a danger of causing physical harm to her/himself and/or others is a violation of both [section 7.1.2.3.5](#), 4 and number 1 of this section of the Ithaca College Student Conduct Code and [section 7.5.2](#), 1 and 10.XIII (Residential Life Rules and Regulations). Any irresponsible use of alcohol, including drinking games, is a violation of policy. [III.G.4]
5. The possession of alcoholic beverages at intercollegiate athletic events is prohibited and cause for disciplinary action. [III.G.5]

Note: Illegal parties or groups in and around residence hall rooms or College-owned or -leased apartments where alcohol is present can be confronted and disbanded by staff from the Office of Public Safety, Office of Residential Life, or other College officials if there are violations of the Ithaca College Student Conduct Code or Ithaca College Campus Event Policy. Public safety and residential life staff and other College officials are permitted to direct students to dispose of alcohol where students are in violation of the College's alcohol policy and/or New York State law. Public safety staff have the authority to confiscate any alcohol.

Note: Specific information regarding the Ithaca College Student Campus Event Policy may be obtained from the Office of Campus Center and Activities, Office of Public Safety, or Office of Residential Life (or in [section 2.8.8.6](#) of Volume II of the *Ithaca College Policy Manual*). Individuals and/or groups sponsoring events should be familiar with this policy.

6. Ithaca College adheres to all local, New York State, and federal laws regarding drugs. The unlawful possession, use, manufacture, purchase, distribution, or sale of prohibited and controlled substances-including, without limitation, illegal drugs or drug paraphernalia, or prescription drugs without a prescription-is prohibited and is cause for disciplinary action. The Ithaca College Office of Public Safety is authorized to investigate alleged violations of state, federal, or local laws with respect to the possession, use, manufacture, purchase or sale of drugs. [III.G.6]

Although New York State law now permits the use of recreational and medical marijuana under certain conditions, federal law prohibits all use, possession, and/or cultivation of marijuana at U.S. educational institutions. Federal law also requires any institution of higher education which receives federal funding to have policies in place which prohibit possession and use of marijuana on campus. Therefore, the use, possession, and/or cultivation of marijuana is not allowed in any Ithaca College residence hall or on any other Ithaca College property. No exceptions can be made for any student based on their possession of a medical marijuana certification, registry ID card, or any other proof of medical marijuana eligibility.

7. Amnesty When Reporting Violent Crimes. The health and safety of every student at Ithaca College is of utmost importance. Ithaca College recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Ithaca College strongly encourages students to report domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, staking, or sexual assault to Ithaca College Officials or law enforcement will not be subject to Ithaca College officials or law enforcement will not be subject to Ithaca College's Code of Conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

7.1.2.3.8 PROPERTY [III.H]

1. Theft of personal or College property, including theft of services, from Ithaca College-owned or -operated property is prohibited and is cause for disciplinary action. Unauthorized possession of College, community, or personal property on Ithaca College-owned or -operated property is prohibited and is cause for disciplinary action. Unauthorized possession of College property beyond Ithaca College-owned or -operated property is also prohibited and is cause for disciplinary action.* [III.H.1]
2. Duplicating keys, computer access codes, or other devices meant to afford access to restricted areas or information is prohibited and is cause for disciplinary action. [III.H.2]
3. Unauthorized entry into, tampering with, or use of facilities, property, services, or resources belonging to the College, its community members, guests, or licensees is prohibited and is cause for disciplinary action.* [III.H.3]
4. Defacing, damaging, or destroying property belonging to the College, its community members, guests, or licensees is prohibited and is cause for disciplinary action.* [III.H.4]

7.1.2.3.9 SOLICITATION [III.I]

Students may not sell, solicit, advertise, or canvass on College-owned or -operated property or solicit parents, alumni, or members of the campus community without advance authorization from the appropriate administrative agency. Students are responsible for abiding by all rules, regulations, and guidelines contained within the Ithaca College Student Campus Event Policy and the Ithaca College Campus Solicitation and Advertising Policy in [section 2.12](#) of Volume II of the *Ithaca College Policy Manual*.

Note: Applications and further information about solicitations are available in the Office of Campus Center and Activities.

7.1.2.3.10 COLLEGE REGULATIONS [III.J]

Violation of any written College policies or regulations (including, but not limited to, section 7.5 of this volume; residence hall contract; *Guide to Student Leadership and Organization Development*; and- *Parking Regulations from the Office of Public Safety Parking and Traffic Services*) is cause for disciplinary action.

7.1.2.3.11 CRIMINAL CONDUCT [III.K]

Violations of civil or criminal statutes committed on College-owned or -operated property are considered violations of this code, whether or not such violations are referred to and/or prosecuted by public officials. Many such violations, including all violations classified as felonies under the federal law or New York State Penal Law, may be referred to the appropriate civil authorities and will also be addressed through the Ithaca College judicial system.

7.1.2.3.12 RULES FOR THE MAINTENANCE OF PUBLIC ORDER

See [section 2.31](#) of Volume II of this Policy Manual for the Rules for the Maintenance of Public Order.

7.1.2.4 CONDUCT PROCEEDINGS FOR CASES NOT SUBJECT TO TITLE IX

Note: The associate director of student conduct & community standards may appoint a designee, when or where appropriate, to perform the functions delegated to the associate director in the following procedural sections: 7.1.2.4; 7.1.2.5; 7.1.2.6; 7.1.2.7; 7.1.2.8; and 7.1.2.9.**7.1.2.4.1 Administrative Hearing Process for Cases Not Involving Sexual Misconduct, Domestic/Dating Violence or Stalking [IV]**

As amended August 14, 2020.

When a nonacademic incident occurs involving an Ithaca College student's alleged violation of any rule or regulation provided or referenced in [section 7.1.2.3](#) "Statement of Responsibilities" or in the

[residential life rules and regulations](#), the matter must first be reviewed through the administrative hearing process described in this section unless (i) it pertains to sexual misconduct, domestic/dating violence, or stalking, or (ii) the incident occurs at the end of an academic year and involves a graduating senior. Cases pertaining to allegations of sexual misconduct, domestic/dating violence or stalking, are instead heard directly by a conduct review board, in accordance with [section 7.1.2.4.2](#) (unless they are subject to Title IX and would therefore be heard by a board in accordance with [section 7.1.2.5](#)). For an incident involving a graduating senior, the College may modify the steps in the conduct hearing procedures to allow for resolution of the matter prior to commencement.

ADMINISTRATIVE HEARING PROCEDURE

1. An incident alleging a violation of the student conduct code is first documented by the Office of Residential Life, the Office of Public Safety, or directly with the Office of Student Conduct & Community Standards.
2. The documentation is then forwarded to the associate director of student conduct & community standards (or designee) or other appropriate administrative hearing officer, who will determine if the respondent will be charged for the alleged violation(s) of the student conduct code.
3. When the student is charged, they will be notified in writing by the associate director of student conduct & community standards (or designee) or other appropriate administrative hearing officer. This written notice will include the specific section(s) of the [residential life rules and regulations](#), *Ithaca College Policy Manual* and/or student conduct code allegedly violated; the possible sanctions; a statement of the factual allegations concerning the violation; the date, time, and location of the occurrence, if available; and an appointed time to meet with a designated administrative hearing officer. The letter will include instructions for rescheduling the meeting should the student have a conflict with the scheduled time. The letter will include a statement indicating that if the student fails to appear for the meeting, that student waives the student's right to this administrative hearing process and a decision regarding responsibility and sanction will be assessed based on the available evidence. This written charge notice must be received by the student **at least three (3) college business days** before an administrative hearing is convened to consider the matter.
4. Students who fail to appear at the appointed time or fail to reschedule prior to the time of the original appointment waive their right to a hearing and a decision regarding responsibility and sanction will be assessed based on the available evidence.
5. If the student requests to have an advisor, they may choose an advisor from among the current faculty, administration and staff, or students of the Ithaca College community to help the student prepare information to present at the hearing. The advisor may attend the hearing and consult with the student, but only to answer questions that the student might have during the course of the proceeding. The advisor may not in any other way speak at the hearing unless specifically requested to do so by the chairperson; and no recordings of any investigatory meeting, hearing,

or proceeding will be permitted except the official recording by the College. Advisors who fail to conform their behavior to these standards may be removed from the proceedings in the sole discretion of the chair.

6. The administrative hearing is a one-on-one meeting between the student and the hearing officer. The presence of an attorney and/or written materials submitted by an attorney in representation of their student client is prohibited. In the administrative hearing with the hearing officer, the hearing procedures and charges will be explained, documentation and evidence will be reviewed, and the student will be provided the opportunity to present evidence and have all pertinent questions answered. At the hearing the student and the hearing officer will discuss the relevant information from the incident as well as any other information that the student or the hearing officer deems appropriate.

ADMINISTRATIVE HEARING OUTCOME

1. The administrative hearing will result in one of the following possible outcomes:
 - I. The hearing officer may find that the student is not responsible for the violation.
 - II. The student may accept responsibility for the violation or may be found responsible by the hearing officer based on a preponderance of the evidence, meaning that it is more likely than not a violation of College policy, rule or regulation occurred. After a finding of responsibility, a sanction (see [section 7.1.2.8](#)) will be determined by the hearing officer.
 - III. The hearing officer may determine that additional information or further investigation is required in order to reach a decision. In the event that further information is necessary, the outcome of the hearing will be delayed pending this investigation. The hearing officer will follow up with the student to arrange any additional needed meeting(s) and/or to apprise the student of the investigations in progress. The process will conclude with a final decision of from the administrative hearing process.
2. Once a decision has been made, the hearing officer will notify the student, in writing, within **five (5) college business days** of the hearing outcome and any appropriate sanctions.

APPEAL TO CONDUCT REVIEW BOARD

1. The student who has been charged under the student conduct code may at the conclusion of the administrative hearing process choose to accept the decision/sanction or choose to have the case heard before a conduct review board. (See [section 7.1.2.4.2](#).)
2. The student who is found responsible in the administrative hearing for violations of the residential life rules and regulations may also be eligible to have a conduct review board hear the student's case, but only if the hearing officer has imposed a sanction of residence hall reassignment, residence hall restriction, termination of the student's housing contract, deferred

suspension, suspension, and/or expulsion. No other sanctions imposed by a hearing officer regarding the Residential Life Rules and Regulations carry with them the option of a conduct review board hearing.

3. Requests for a conduct review board hearing must be received by the associate director of student conduct & community standards (or designee) within three (3) college business days of the written notification of the decision and/or sanction(s) from the administrative hearing.
4. In the event that a student is eligible to have their case heard before a conduct review board and chooses to do so, the decision rendered in the administrative hearing becomes null and void, and the student continues without sanction (other than any interim measures or restrictions that may have been in effect) until the conduct review board hearing process is completed.

7.1.2.4.2 CONDUCT REVIEW BOARD PROCESS FOR CASES NOT SUBJECT TO TITLE IX

As amended August 14, 2020.

Note: The associate director of student conduct & community standards (or designee) will appoint a chairperson for the conduct review board hearing to perform the functions provided for in this section.

The Ithaca College Conduct Review Board is charged with the responsibility of protecting and enforcing the rules and regulations stated or referenced in Section 7.1.2.3 "Statement of Responsibilities" or in the residential life rules and regulations. Each year the associate director of student conduct & community standards, in cooperation with constituent councils or congresses, will select Conduct Review Board justices from student, faculty, and administrator and staff applicants to serve for one-year terms. The membership at each conduct review board hearing will be drawn from this group.

A conduct review board will hear cases involving allegations against an Ithaca College student, when requested by the student in accordance with Section 7.1.2.4.1 above. In addition, cases involving complaints of sexual misconduct, domestic/dating violence or stalking that do not meet the criteria under Title IX are instead subject to conduct review board proceedings under in this section, as indicated, and in such cases the rights and responsibilities in this section will apply equitably to both the respondent and the complainant.

ADVISORS

- If a student requests to have an advisor, they may choose an advisor from among the current faculty, staff, or students of the Ithaca College community to help the student prepare information to present at the hearing.
- In cases involving [sexual misconduct, domestic/dating violence or stalking](#), both the respondent and complainant have the right to select an advisor of choice, including but not limited to a family member, friend, other support person, or an attorney. Both parties will have access to a special advisor provided by the College from a pool of trained College employees ("College-trained advisor"). The College-trained advisor may serve as either party's primary advisor if the party wishes.
- In all cases, the primary advisor may attend the hearing and consult with the student, but only to answer questions that the student might have during the course of the proceeding. The advisor may not in any other way speak at the hearing unless specifically requested to do so by the chairperson; and no recordings of any investigatory meeting, hearing, or proceeding will be permitted except the official recording by the College. Advisors who fail to conform their behavior to these standards may be removed from the proceedings.

SCHEDULING

- The conduct review board hearing will be convened promptly upon receipt by the associate director of student conduct & community standards of the written request for a conduct review board hearing; or in cases of [sexual misconduct, domestic/dating violence or stalking](#), upon receipt of the investigative report compiled by the Title IX Office or Office of Public Safety.
- All meetings and requirements will be scheduled without unreasonable delay. Unavoidable delays related to the absence of parties, advisors, or witnesses, or to medical/emergency needs or requests from law enforcement agencies conducting concurrent investigations may result in temporary delay. However, College procedures will resume promptly. Requests for postponements will be determined on a case-by-case basis by the chairperson.

PRE-BOARD MEETING

- The chairperson will schedule a meeting to provide the respondent (or both parties) with the opportunity to ask questions about the procedures, rights, responsibilities, and other aspects of the hearing process. Students may request additional meetings with the chairperson prior to the hearing if new questions arise. Requests for an additional meeting must be made at least two (2) college business days prior to the scheduled hearing.

CHARGE LETTER

- The parties will be notified in writing of the formal charges to be considered by the conduct review board. This notice will be submitted at least five (5) [college business days](#) prior to the

hearing (unless all parties agree to an earlier hearing) and will include the following information:

- the date, time, and location of the hearing;
- the sections of the student conduct code and/or residential life rules and regulations being charged;
- the allegations that, if proven, would constitute a violation of the applicable policy;
- names of witnesses scheduled to participate in the hearing.

COMPOSITION OF THE CONDUCT REVIEW BOARD

- All members of the designated board will have received annual training in reviewing cases, including the right to a presumption that the accused student is "not responsible" until a finding of responsibility is made pursuant to the conduct review board process. For cases of [sexual misconduct, domestic/dating violence and/or stalking](#), the board will additionally be trained in sexual violence, the effects of trauma, impartiality, the rights of the accused student, and other issues including, but not limited to domestic violence, dating violence, stalking or sexual assault.
- The chairperson will provide the respondent (or both parties) with a list of names of the individuals who will sit on the conduct review board. Should the respondent (or either party) believe that any voting board member is biased or could not render an impartial judgment, the student may challenge that individual's participation in the conduct review board hearing. The chairperson will rule on all such challenges, and the chairperson's decision will be final.
- For standard cases, the board will be composed of six (6) individuals: three (3) students, one (1) faculty member, and one (1) staff member chosen on a rotational basis from the pool of the trained conduct review board [justices](#), and the associate director of student conduct & community standards (or designee) as a non-voting chairperson.
- For cases of [sexual misconduct, domestic/dating violence or stalking](#), the board will be composed of four (4) individuals: Three non-student Ithaca College employees and the associate director of student conduct & community standards (or designee) as a non-voting chairperson.
- The following individuals are the only people allowed in the room during and conduct review board hearing: the respondent (or both parties); the advisor(s) for the respondent (or both parties, respectively); witnesses, as called; the board members including non-voting chairperson; and a note taker appointed by the Office of Student Conduct & Community Standards. Determinations regarding any deviation from this standard will be made by the chairperson.

DOCUMENTS AND EVIDENCE PRIOR TO THE HEARING

- At least two (2) **college business days** prior to the time of the hearing, the respondent (or both parties) must provide the chairperson with copies of any written statements from witnesses or other documentary evidence, and names of any witnesses to be called who may have relevant information specific to the case. If a student fails to meet the deadline, the chairperson may deny the presentation of certain evidence and/or witness testimony.
- In cases of **sexual misconduct, domestic/dating violence or stalking**, parties are permitted to submit an impact statement and questions for the other party along with the above materials at least two (2) college business days prior to the time of the hearing. Impact statements will be shared with the conduct review board only in the event that the board decides that the respondent is responsible for a violation. Questions from either party for the opposing party will be shared with the opposing party prior to the hearing and will be read aloud by the chairperson during the hearing.

STRUCTURE OF THE HEARING

- The order of the hearing is as follows:
 - Introductions and reading of the alleged charges by the chairperson
 - Opening statement(s)
 - Questioning of the respondent (or parties) by the conduct review board
 - For cases of **sexual misconduct, domestic/dating violence or stalking** only, questioning of each party by the other party
 - Questioning of each non-party witness by the conduct review board and the respondent (or parties)
 - Closing statement(s).
 - Deliberation by the conduct review board regarding responsibility
 - Deliberation by the conduct review board regarding sanction, if the respondent has been found responsible
 - The board will be informed of any impact statements and the respondent's prior student conduct history prior to deliberation on sanction.

EVIDENCE DURING THE HEARING

- The chairperson will rule on the relevance and appropriateness of all questions asked and testimony provided at the conduct review board hearing and the respondent, complainant, and any witnesses have the right to decline to answer any questions.
- In cases involving [sexual misconduct, domestic/dating violence or stalking](#), each [party](#) has the right to exclude their own prior sexual history with persons other than the other party to the hearing or their own mental [health](#) history from admittance into evidence.
- At the conclusion of the hearing, the conduct review board will begin deliberations. The board will deliberate on the hearing and will decide if the respondent is responsible for the violation(s) charged based on the live testimony and other available evidence. If the respondent is found to be in violation of any or all of the charges, the board will then be informed of the respondent's prior student conduct history. The board may consider this information in determining an appropriate sanction(s). The board will notify the chairperson of its decision.

CONDUCT REVIEW BOARD DECISION

- All decisions of the board will be made by simple majority. Decisions will be based only on evidence (written and verbal) presented at the hearing and must be supported by a preponderance of the evidence, meaning that it is more likely than not the respondent committed a violation of College policy, rule or regulation.
- The respondent (and in cases of sexual misconduct, domestic/dating violence or stalking, both parties simultaneously) will be notified in writing of the board's decision within five (5) [college business days](#) of the conduct review board hearing. The notification will include the sanctions, if applicable. The College reserves the right to send notification to the respondent's parent(s) or legal guardian(s).
- All hearings will be recorded by the College for possible appeal purposes. The recordings are confidential and are securely maintained by the Office of Student Conduct & Community Standards.
- If the respondent (or any party) fails to appear at the hearing, the conduct review board may proceed and reach a decision in the student's absence. The board will assess whether the student is to be found responsible based on the evidence available, and if responsibility is determined, assign an appropriate sanction.

7.1.2.4.3 FINAL APPEAL PROCEDURE FOR CASES NOT SUBJECT TO TITLE IX

As amended August 14, 2020.

The respondent (and both the respondent and the complainant in cases involving sexual misconduct, domestic/dating violence, or stalking) may appeal a decision rendered by the conduct review board.

Appeals must be submitted in writing to the associate director of student conduct & community standards within three (3) *regular business days* (Monday through Friday, excluding federal holidays and days when the main campus is closed) after the written decision has been made available. Upon receipt of a party's letter of appeal, any sanction imposed by the conduct review board will be temporarily rescinded – and any interim measures reinstated – pending the decision by the appellate panel.

For cases not involving sexual misconduct, domestic/dating violence, or stalking, the appeal will be considered by an appellate panel composed of three (3) individuals, which will include one student and two non-student employees selected from the pool of trained conduct review board justices who did not serve on the conduct review board for the same case.

For cases involving [sexual misconduct, domestic/dating violence, and/or stalking](#), the appeal will be considered by an appellate panel composed of three (3) non-student employees, which must include one representative from each of the following areas: Human Resources, Student Affairs and Campus Life, and Academic Affairs.

STANDARD OF REVIEW

The final appeal procedure is the last step in the conduct review process. The appealing student must demonstrate in their letter of appeal one or more of the following grounds:

- The hearing was inconsistent with the established conduct procedures in a manner that materially affected the outcome.
- The sanction imposed was not appropriate for the violation of the student conduct code and/or residential life rules and regulations.
- New and relevant evidence is available that was not reasonably available at the time of the hearing and [that could materially affect the outcome](#).

The final appeal is not intended to be a rehearing of the evidence presented at the hearing. Rather, the the appellate panel, by simple majority, will reach a decision based solely on the above grounds. [The](#) appellate panel may render one of the following decisions:

- Uphold the decision
- Amend the decision as may be necessary
- Order the case to be heard again by a new conduct review board

APPEAL PROCEDURES

- The appealing student must submit their letter of appeal to the Office of Student Conduct & Community Standards within three (3) regular business days (Monday through Friday, excluding federal holidays and days when the main campus is closed) after the written decision has been made available. Appeals submitted late will not be considered by the appellate panel.
- For cases involving [sexual misconduct, domestic/dating violence or stalking](#), a copy of the appeal will be made available for review by the opposing party. The opposing party will have three (3) *regular business days* (Monday through Friday, excluding federal holidays and days when the main campus is closed) to review the letter of appeal and submit a written response to the Office of Student Conduct & Community Standards. Responses should address only the applicable grounds as stated above. Responses submitted late will not be considered by the appellate panel. The non-appealing party's written response will be shared with the appealing party, and no further information will be accepted from either party.
- All case materials will be shared with the appellate panel including the case file, the recording of the hearing, the decision, and the written appeal (and any response to the appeal for cases involving sexual misconduct, domestic/dating violence or stalking).
- The final written decision will be communicated to the respondent (and in case of sexual misconduct, domestic/dating violence or stalking, to both parties simultaneously) by the Office of Student Conduct & Community Standards within five (5) [college business days](#) of the appellate panel reaching a decision, and will include any new or amended sanction, if applicable.

The decision of the appellate panel will be final.

7.1.2.5 CONDUCT PROCEEDINGS FOR CASES SUBJECT TO TITLE IX

Ithaca College complies in all aspects with the laws and regulations required by Title IX of the Education Amendments Act of 1972 ("Title IX"). Title IX is a federal law requiring that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.

The following sections (7.1.2.5.1 through 7.1.2.5.6) describe the College's process for responding to complaints alleging [sexual misconduct, domestic/dating violence, or stalking](#) by Ithaca College students, in compliance with Title IX regulations established by the United States Department of Education (34 CFR Part 106),

7.1.2.5.1 EQUITABLE RIGHTS

The following rights apply to the intake, investigation, and resolution of complaints involving **sexual misconduct, domestic/dating violence, or stalking** that are subject to Title IX. Determinations as to whether a case is subject to Title IX are made prior to the initiation of an investigation, in accordance with the Grounds for Proceeding under a Title IX Complaint Resolution Process in Section 7.1.2.5.2 of this code..

TRAINING

- Title IX coordinators, investigators, College-trained advisors and those serving as conduct review board members in cases subject to Title IX, including the chairperson, will receive annual training on the definition of sexual harassment; the scope of college programs and activities to which Title IX applies; how to conduct an investigation and/or conduct proceedings, including hearings, appeals, and informal resolution processes; how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias; the effects of trauma; and the presumption that the respondent is “not responsible” until a finding of responsibility is made.
 - The pool of eligible conduct review board justices and appellate panel members for Title IX cases will receive additional annual training on the use of any technology to be used during a live hearing; and issues of relevance regarding questions and evidence.
 - Investigators available for Title IX cases will receive additional training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

TIME FRAMES

- The investigation and Title IX complaint resolution process will occur promptly and without unreasonable delay.
- Following the investigation, each party will be given electronic access to the investigative report and case file materials. Each party will have up to **ten (10) calendar days** to review the investigative report and case file materials.
- A conduct review board hearing will be convened promptly once a case has been received by the associate director for student conduct & community standards, in accordance with the “Scheduling” subsection in in 7.2.5.5.
- Decisions will be communicated promptly in accordance with the “Decisions” subsection in in 7.2.5.5.
- If circumstances arise that delay either the investigation and/or the conduct proceedings, both parties will be notified of the delay and its cause. A delay may occur for considerations such as:
 - the absence of a party, a party’s advisor, or a witness;

- concurrent law enforcement activity; or
- the need for language assistance or accommodation of disabilities

STANDARD OF PROOF FOR DETERMINING RESPONSIBILITY

- All decisions of the board and appellate panel will be made by simple majority and will be based only on evidence (written and verbal) presented at the hearing. Decisions must be supported by a preponderance of the evidence, meaning that more likely than not a violation of College policy, rule, or regulation occurred.

DETERMINATIONS OF RELEVANCE

- The standard for determining relevance of evidence is whether the evidence tends to prove or disprove a material fact related to the responsibility of the Respondent, whether inculpatory or exculpatory, for the alleged violation.
- During the investigation, the investigator assigned by the College has the discretion to make reasonable determinations regarding the relevance and availability of evidence.
- After the investigative report is referred to the associate director of student conduct & community standards, relevance determinations for all available evidence will be made in the sole discretion of the chairperson of the hearing prior to review by the conduct review board. The chairperson may redact or exclude information that does not meet the relevance standard above.
- Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant unless offered to prove that someone other than the respondent committed the violation alleged by the complainant. Specific incidents of the complainant's prior sexual behavior may also be deemed relevant if offered to prove consent.
- Questions or evidence that constitute, or seek disclosure of, information from protected under a legally recognized privilege will be excluded and will not be used or relied upon by the College in the complaint resolution process, unless the person holding such privilege has waived the privilege.
- Questions or evidence that constitute, or seek disclosure of, information about any party's medical, psychological, or similar professional treatment records will be excluded and will not be used or relied upon by the College in the complaint resolution process, unless the College received that party's voluntary, written consent to do so.

SUPPORT AND INTERIM MEASURES

- When a report of sexual misconduct, domestic/dating violence, or stalking is made, certain measures and resources may be made available before the resolution of a complaint to ensure access to the College's educational programs and activities. These measures will be made reasonably available at no personal financial expense to the parties. When supportive measures have been implemented by the College, the parties may request modification at any time during the investigative process until the conclusion of the conduct review board process, and during any reinstatement of interim measures pending appeal.
- Requests for support and interim measures from the College, as well as requests to modify such measures, must be directed to the Title IX Coordinator. Please visit the College's [SHARE](#) website for more information.
- Some examples of supportive measures include the following:
 - Mutual Restriction Notice
 - Housing Re-Assignments
 - Class Re-Assignments
 - Safety Escorts on Campus
 - Faculty Notice
 - Alternate Class Schedules
 - Assistance with a change in work schedule or employment
 - Assistance connecting with resources such as but not limited to Student Accessibility Services, confidential resources, and academic advising
- Depending upon the nature and severity of the allegations, the College may consider an interim removal of a respondent from campus housing or from all college programs and activities. Interim removals will be initiated and are subject to review in accordance with [Section 71.2.7.2 "Interim Removal"](#).
- Measures that are interim in nature will terminate upon the conclusion of the conduct review board process, but may be temporarily reinstated pending a final appeal.

POSSIBLE SANCTIONS

- The sanctions for all forms of [sexual misconduct, domestic/dating violence, and stalking](#) include the full range of sanctions in [Section 71.2.8](#) of this code, up to and including suspension and expulsion. Outcomes may vary and are always determined on case-by-case basis.
- Sanctions only apply after a determination of responsibility has been made.

RIGHT TO AN ADVISOR

- Throughout the investigation, conduct review board process, and any appeal related to a formal complaint subject to this section (complaints subject to Title IX), the parties have the right to select an advisor of their choice, who may be a friend, member of the Ithaca College community (student or employee), family member, or other support person, including an attorney. Both parties will have access to a process advisor provided by the College from a pool of College employees trained in accordance with the “Training” subsection above (referred to as a “College-trained advisor”). The College-trained advisor may serve as the party’s primary advisor or may serve as a secondary resource to the party.
- When selecting a primary advisor, a party must consider that the advisor’s role will include cross-examination obligations. Cross-examination involves asking the other party and any witnesses questions based on the case file and follow-up questions based on live testimony, including challenges related to credibility. Such cross-examination **may not** be conducted by the parties themselves. See “Cross-Examination of Parties and Witnesses” in Section 7.1.2.5.5 below for more information about cross-examination procedures.
- A party’s primary advisor may accompany the party to any investigatory meeting, conduct-related meeting, or formal proceeding throughout the formal resolution process (at the party's own expense, if the advisor is a paid advisor).
- Each party must be accompanied by their primary advisor at the conduct review board hearing, who will be the only advisor permitted to attend for that party. If a party’s selected primary advisor is unavailable at the hearing, the party must provide notice in advance to the chairperson, who will determine whether there is good cause to delay the hearing. If the chairperson elects to continue the hearing without the selected primary advisor, a substitute primary advisor may be selected or assigned by the College without postponement of the hearing.

PROHIBITION ON RETALIATION

- Ithaca College may not, nor may any other person, intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy or by Title IX regulations because an individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing.
- Neither party shall in any way be restricted from the ability to discuss the allegations under investigation and/or to gather and present relevant evidence.

7.1.2.5.2 PRE-HEARING AND INVESTIGATION

COMPLAINT INTAKE

Once any report of [sexual misconduct, domestic/dating violence, or stalking](#) is made to the Title IX Office, the student or employee making the report will be offered a meeting with the Title IX coordinator. The Title IX coordinator (or designee) will offer support, resources and reporting options to the complainant. The complainant's options for reporting to the College include submitting a formal complaint pursuant to the student conduct code or documenting the incident without a request for formal investigation.

- Submitting a formal complaint
 - Students or employees who wish to make a formal complaint of [sexual misconduct, domestic/dating violence, or stalking](#) against a student will have the option to first review their rights and available resources with the Title IX Coordinator prior to submitting a formal complaint. The formal complaint must be submitted in writing, whether to the Title IX Coordinator's Office, the Office of Public Safety, or to another appropriate College official. Upon receiving the formal complaint, the Title IX coordinator will issue a [Notice of Investigation](#) to both parties and will determine whether the allegations in the complaint satisfy the [Grounds for Proceeding under a Title IX Complaint Resolution Process](#). If any of the allegations satisfy the grounds, they will continue to be investigated in accordance with this Section 7.1.2.5.2.

- Documenting without making a formal [complaint](#)
 - Students and employees may choose to make a report to the Title IX Office solely for the purpose of documenting their allegations and accessing support services, and may request that no formal investigation ensue. At any time, however, a student or employee who makes a report to “document only” may request that the College proceed with a formal complaint investigation, which will require the complainant to submit a formal written complaint.
 - The Title IX Office is charged with maintaining campus safety and as a result, there may be times when a report is made to the Title IX coordinator that could lead to the initiation of an investigation and formal resolution process despite a request to the contrary from the individual making the report.

GROUNDINGS FOR PROCEEDING UNDER A TITLE IX COMPLAINT RESOLUTION PROCESS

- The Title IX coordinator (or designee) is responsible for determining whether a submitted formal complaint requires investigation and resolution pursuant to the Title IX complaint processes (Sections 7.1.2.5.2 through 7.1.2.5.6). Complaints will be investigated and resolved in accordance with the Title IX complaint processes if the facts alleged satisfy all of the following three criteria:

1. The conduct is alleged to have occurred within an education program or activity. This includes locations, events, or circumstances over which the College exercise substantial control over the respondent and control over the context in which the sexual harassment occurs.
2. The conduct is alleged to have occurred within the United States.
3. The alleged conduct is consistent with the definition of “sexual harassment” under Title IX, which includes any conduct on the basis of sex that includes any of the following:
 - I. A respondent employed by the College conditioning the provision of an aid, benefit, or service of the College on the complainant’s participation in unwelcome sexual conduct;
 - II. Unwelcome conduct that would be determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies the complainant equal access to the College’s education program or activity; or
 - III. Conduct constituting “sexual assault”, “non-consensual sexual contact”, “domestic violence”, “dating violence”, or “stalking” as defined in [section 7.1.2.3.5](#) of the student conduct code.

NOTICE OF INVESTIGATION

When a formal resolution process is initiated, the Title IX coordinator (or designee) will notify the parties of the allegations being investigated. The Notice of Investigation is intended to provide the parties with the time and opportunity to prepare to respond and to participate in the resolution with knowledge about rights and procedures afforded to them by the College. The notice will include the following:

- information about the College’s complaint resolution procedures
- whether the [Informal Resolution Process](#) is available for the alleged violations
- notice of the allegations that includes details known at the time of the initiation of the investigation
- a statement that the respondent is presumed not responsible until a finding of responsibility is made pursuant to the formal resolution process
- notice that the party may have an advisor of choice who may be an attorney
- notice that both parties and their respective advisors may inspect and review evidence after the investigative report is compiled.
- notice of the College’s [Personal Honesty](#) policy for students, or to the [Ethics and Integrity Policy](#) for employees, both of which prohibits knowingly making a false statement or knowingly

submitting false information at any point during the complaint resolution [process](#)

- notice of the date, time, location, participants, and purpose of all hearings, investigative interviews or other meetings with time for the party to prepare to participate.

ASSIGNMENT OR DISMISSAL OF A FORMAL COMPLAINT

- Formal resolution process
 - If the report received by the Title IX coordinator includes any allegations that satisfy the criteria stated in the [Grounds for Proceeding under a Title IX Complaint Resolution Process](#), the Title IX coordinator will issue a Notice of Investigation to both (or all) parties. The formal resolution process includes a formal investigation by the College. At the conclusion of the investigation, the investigative report will be reviewed to determine which allegations, if any, will be referred to the Office of Student Conduct & Community Standards for conduct proceedings in accordance with [Section 7.1.2.5.5 Conduct Review Board Process for Complaints Subject to Title IX](#).
- Informal Resolution Process
 - An Informal Resolution Process involves a mediation process intended to develop a voluntary, non-enforceable understanding between parties in order to help the parties navigate their educational experience. If either party requests that the matter be addressed through the Informal Resolution Process, the Title IX Coordinator (or designee) will invite the other party to participate. The option is only available if both parties agree to participate. The process is further described in [Section 7.1.2.5.3 Informal Resolution Process](#).
- Dismissal of formal complaints under Title IX
 - If the report received by the Title IX coordinator does not include allegations that satisfy the criteria stated in the [Grounds for Proceeding under a Title IX Complaint Resolution Process](#), the Title IX coordinator (or designee) will dismiss the report as a Title IX matter, but may nonetheless refer the matter to the Office of Student Conduct & Community Standards for resolution under [7.1.2.4 Conduct Proceedings for Cases Not Subject to Title IX](#). If no allegations in the report received by the Title IX coordinator constitute a policy violation, the Title IX coordinator will dismiss the report entirely.
 - The Title IX coordinator will promptly send notice of the dismissal of any allegation in the formal complaint simultaneously to both parties, including the reasons for the dismissal.
 - **APPEAL OF THE DISMISSAL**
 1. Any decision by the Title IX coordinator to dismiss an allegation in the formal complaint may be appealed by either party at any time while they remain a student (or employee)

of the College. The appealing party must submit a written appeal directly to the Office of Student Conduct & Community Standards, demonstrating one or more of the following grounds:

- I. A procedural irregularity that materially affected the outcome
 - II. New evidence that was not reasonably available at the time of the dismissal, which could have materially affected the outcome
 - III. A conflict of interest or bias for the Title IX coordinator, investigator, or other decision maker that materially affected the outcome
2. Once a written appeal has been submitted, a copy of the appeal will be made available for review by the opposing party. The opposing party will have three (3) regular business days (Monday through Friday, excluding federal holidays and days when the main campus is closed) to review the written appeal and submit a written response to the Office of Student Conduct & Community Standards. Responses submitted late will not be considered. Responses should address only the applicable grounds. The non-appealing party's response will be shared with the appealing party, however no further submissions will be accepted from either party.
 3. The written decision on the appeal from the associate director of student conduct & community standards will be simultaneously communicated to the complainant, the respondent, and the Title IX coordinator.

INVESTIGATION AND EVIDENCE GATHERING

The College will commence an investigation after the notice of investigation has been issued to all identified parties.

- The investigation will result in an investigative report, including the collected evidence and an investigative summary that fairly summarizes and objectively evaluates all relevant evidence – including both inculpatory and exculpatory evidence, whether obtained from a party or other source.
- All parties will have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and/or exculpatory evidence to the designated investigator.
- Throughout the investigation, the burden of proof and the burden of gathering evidence to reach a determination regarding responsibility rests on the College.

INVESTIGATIVE REPORT REVIEW

The Title IX Coordinator (or designee) will make the investigative report, including a draft investigative summary, available to each party, and their respective primary advisors, at the conclusion of the investigation.

- All parties will have an equal opportunity to review any evidence gathered by the College as part of the investigation that is directly related to the allegations raised in a formal complaint, including the evidence the College does not intend to rely upon in reaching a determination regarding responsibility.
- Parties and their advisors will be provided an electronic copy of the investigative report (redacted for privacy) and have up to ten (10) **calendar days** to review the material with their advisor and communicate any concerns about the summary, or their individual evidence and testimony, with the Title IX Office.

The investigative report, including the draft investigative summary, will not include final determinations of the admissibility of evidence for the upcoming hearing.

7.1.2.5.3 INFORMAL RESOLUTION PROCESS

The Informal Resolution Process (“IRP”) is available if both parties wish to resolve the formal complaint through a voluntary mediation process. The IRP is facilitated by the Title IX Office (or designee) and is designed to address the needs of each party for them to continue being successful as a community member of the college. At any point during an IRP, either party may choose to withdraw from the process. If either party withdraws, they may request to engage in a formal process OR the complainant may request to withdraw their formal complaint.

The IRP is not a fact-finding process or evaluation of evidence. Any information gathered during the IRP will be available to an investigator and to decision-makers if a formal resolution process is later initiated. Decisionmakers in any formal resolution process will be instructed that any information submitted by the parties during the IRP may not be considered an admission of responsibility for any alleged violation.

Once an IRP is completed, either party may request a modification to the resulting resolution at any time as long as they remain a student at the College. By accepting the resolution, parties understand that the Title IX Office (or designee) may facilitate further mediation in the event that they wish to revisit the agreed-upon terms or raise new concerns through this process.

7.1.2.5.4 CONSOLIDATION OF COMPLAINTS

Multiple complaints subject to Title IX that stem from the same facts and circumstances may be consolidated into a single formal resolution process, under the following circumstances:

- A complaint against more than one respondent
- Complaints by more than one complainant against one or more respondents
- Complaints by both parties alleging wrongdoing by the other

Where a formal resolution process involves more than one complainant or more than one respondent, references in this section to the singular “party,” “complainant,” or “respondent” include the plural, as applicable.

7.1.2.5.5 CONDUCT REVIEW BOARD PROCESS FOR CASES SUBJECT TO TITLE IX

Note: The associate director of student conduct & community standards may appoint a designee, when or where appropriate, to perform the functions delegated to the associate director in the following procedural sections: 7.1.2.4; 7.1.2.5; 7.1.2.6; 7.1.2.7; 7.1.2.8; and 7.1.2.9.

SCHEDULING

- The Conduct Review Board Hearing will be promptly convened, within fifteen (15) College business days from the date the investigative report is received by the Office of Student Conduct & Community Standards.
- All meetings and deadlines will be scheduled without unreasonable delay. Unavoidable delays related to parties’, advisors’, or witness’s absence, medical or emergency needs, or requests from law enforcement agencies conducting concurrent investigations may result in temporary delay, and College procedures will promptly resume. Requests for postponements will be determined on a case-by-case basis by the chairperson.

PRE-BOARD MEETING

- The respondent and the complainant will have separate meetings with the associate director of student conduct & community standards (or designee) prior to the conduct review board hearing. This meeting is an opportunity for each party to ask questions about the procedures, rights, responsibilities, and other aspects of the hearing process. During this meeting, the associate director (or designee) will discuss either party’s request to appear at the live hearing virtually. Parties may contact the associate director (or designee) again if new questions arise. A party

must make their request for any additional meeting at least two (2) college business days prior to the scheduled hearing.

FORMAL CHARGE LETTER

- The respondent and the complainant will be notified simultaneously in writing of the formal charges to be considered by the conduct review board. This notice will be submitted at least five (5) calendar days prior to the hearing.

EVIDENCE (NON-TESTIMONIAL)

- The board will be provided a case file that includes all relevant evidence provided in the investigative report from the Title IX Office.
- New non-testimonial evidence will only be admitted after the close of the investigative report if it was not reasonably available during the investigation. If material evidence becomes available that was not reasonably available before the close of the investigation, the hearing may be postponed to provide both parties equitable time to review the evidence.
- Requests to admit evidence after the close of the investigation must be made to the chairperson in advance of the hearing.
 - Relevance determinations and determinations as to whether evidence was reasonably available prior to the deadline will be made solely at the discretion of the chairperson.
 - Exceptions may be made, when necessary, in the sole discretion of the chairperson, and a hearing may be postponed to provide both parties equitable time to review evidence.

COMPOSITION OF THE CONDUCT REVIEW BOARD

- The respondent and complainant will receive notice simultaneously from the chairperson regarding who will serve as conduct review board members.
- The conduct review board will be composed of four (4) individuals: three non-student Ithaca College employees and the associate director of student conduct & community standards (or designee) as a non-voting chairperson.
- Parties may challenge the participation of any board member based on a conflict of interest or bias. Any such objection will be ruled upon by the chairperson.
- The following individuals are the only people allowed in the hearing room: the respondent; the complainant; the primary advisors for the respondent and the complainant; witnesses, as called upon; the board members and chairperson; and a note taker appointed by the Office of Student

Conduct & Community Standards. Determinations regarding any deviation from this standard will be made by the chairperson.

SUBMITTING WRITTEN MATERIALS

- Parties must submit copies of opening and closing statements for pre-approval no later than one (1) college business day prior to the hearing.
- Parties must submit copies of questions for cross-examination for pre-approval no later than one (1) college business day prior to hearing.
- Questions and statements submitted for pre-approval are not made available to the opposing party.
- Questions and statements that are not pre-approved are subject to restrictions for relevance and **decorum** by the chairperson during the live hearing.
- Questions that either party would like to be shared with the opposing party may be submitted no later than one (1) business day prior to the hearing. .

STRUCTURE OF THE HEARING

- The order of hearing procedures is as follows:
 - Introductions and reading of the formal allegations by the chairperson
 - Opening statements
 - Questioning of the parties by the conduct review board
 - Cross-examination of the parties by primary advisors
 - Questioning by the conduct review board, and cross-examination by primary advisors, of each non-party witness
 - Closing statements
 - Deliberation by conduct review board regarding responsibility
 - Impact statements from both parties, if the respondent has been found responsible
 - **Deliberation by** the conduct review board regarding sanction, if the respondent has been found responsible.
 - The board will be informed of the Respondent's prior student conduct history prior to deliberation. Impact statements and prior student conduct history will be considered by

the board in determining the appropriate sanction(s).

EXAMINATION OF PARTIES AND WITNESSES

- Members of the conduct review board, including the chairperson, will have the opportunity to question each party and each witness prior to cross-examination by the parties' primary advisors.
- Cross-examination at the hearing must be conducted directly, orally, and in real time by each party's primary advisor, never by a party personally.
- If a party does not have an advisor present at the live hearing, the chairperson may postpone the hearing with good cause or provide a new primary advisor to conduct cross-examination on behalf of the party whose advisor is not in attendance.
- Only relevant questions and cross-examination may be asked of a party or witness. Questioning must conclude at the direction of the chairperson.
 - All questions are subject to restriction by the chairperson during the live hearing based on relevance and decorum.
 - The chairperson may restrict questions by primary advisors that are directed at parties or witnesses in a badgering manner.

PRESENCE OF PARTIES AND WITNESSES

- If the respondent or complainant fails to appear at the hearing, then the board will proceed in that student's absence and will reach a decision on the evidence available. The board will be instructed not to draw any inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer questions or cross-examination. If the respondent or the complainant fails to appear, a College-trained advisor may be appointed to conduct cross-examination on behalf of the absent party.

DECISION

- Within five (5) college business days of the conduct review board hearing, the respondent and complainant will be notified simultaneously in writing of the decision. Such written notice will include the findings of fact, the decision regarding responsibility, any applicable sanction, and the rationale for the decision and sanction. A copy of the notification may also be sent to the respondent's parent(s) or legal guardian(s).

- All hearings will be recorded by the College for inspection and review by the parties. The recordings are confidential and are securely maintained by the Office of Student Conduct & Community Standards. The recordings will be kept for seven (7) years after the conclusion of the hearing.

7.1.2.5.6 FINAL APPEAL PROCEDURE FOR CASES SUBJECT TO TITLE IX

For cases subject to Title IX, both the respondent and the complainant may appeal any decision rendered by the conduct review board. Appeals must be submitted in writing to the associate director of student conduct & community standards, within three (3) college business days after written notification of the board's decision has been made available. Upon receipt of a party's letter of appeal, any sanction imposed by the conduct review board will be temporarily rescinded – and any interim measures reinstated – pending the decision by the appellate panel.

The appeal will be considered by an appellate panel composed of three (3) individuals. The panel will include one representative from each of the following areas: the Office of Human Resources, the Division of Student Affairs and Campus Life, and the Division of Academic Affairs.

STANDARD OF REVIEW

- The final appeal procedure is the last level of review in the formal resolution process subject to Title IX. The appealing party must demonstrate in writing to the appellate panel one or more of the following grounds:
 - The hearing was inconsistent with the established conduct procedures in a manner that materially affected the outcome.
 - The sanction imposed was not appropriate for the violation of the student conduct code.
 - New and relevant evidence is available that was not reasonably available at the time of the hearing and that could materially affect the outcome.
 - The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against respondents or complainants generally, or against the individual respondent or complainant, that affected the outcome.
- The appeal process is not intended to be a rehearing of the evidence presented at the hearing. Rather, the appellate panel will reach a decision, by simple majority, based solely on the above grounds. The appellate panel may render one of the following decisions:
 - Uphold the decision

- Amend the decision as may be necessary
- Order the case to be heard again by a new conduct review board

APPELLATE PANEL PROCEDURES

- The appealing party must submit their letter of appeal within **three (3) regular business days** (Monday through Friday, excluding federal holidays and days when the campus is closed) after the written decision has been made available. Appeals submitted late will not be considered by the appellate panel.
- Once a letter of appeal has been submitted, a copy of the letter of appeal will be made available for review by the other party.
- The opposing party will have three (3) **regular business days** (Monday through Friday, excluding federal holidays and days when the main campus is closed) to review the letter of appeal and submit a written response to the Office of Student Conduct & Community Standards. Responses should address only the applicable grounds as stated above. Responses submitted late will not be considered by the appellate panel.
- The non-appealing party's written response will be shared with the appealing party, however no further submissions will be accepted from either party.
- All materials will be shared with the appellate panel including the case file, the recording of the hearing, the decision, and the written appeal and response to the appeal.
- Once the appellate panel reaches a decision, the decision will be submitted to the vice president for student affairs and campus life (or designee) for review.
- The final written decision will be communicated to both the respondent and the complainant, simultaneously, by the vice president of student affairs and campus life within five (5) college business days of the appellate panel reaching its decision, and will include any new or amended sanction, if applicable.

The decision of the appellate panel will be final.

7.1.2.6 ACADEMIC MISCONDUCT HEARINGS [VI]

As amended by the Ithaca College Board of Trustees May 16, 2009, May 16, 2015, and May 20, 2023.

7.1.2.6.1 Academic Misconduct Hearing Process

- Determinations regarding a student's responsibility for alleged academic misconduct and any resulting college-wide sanction must be made in accordance with this policy. For an incident involving a graduating senior, the College may modify the steps in these hearing procedures to allow for resolution of the matter prior to Commencement.
- A faculty member may initiate this process only after they have first made a reasonable effort to meet with the student to discuss the allegation(s).
- Prior to this hearing process, the faculty member will notify the student of their decision regarding the allegation(s) and, if applicable, assign an academic consequence related to the specific course and/or assignment. [The process for a student to appeal the decision of a faculty member regarding a grade can be found in section 7.2.4 Academic Affairs Information.] If the faculty member decides to refer the matter for consideration of a college-wide policy violation, the faculty member will notify the Office of Student Conduct & Community Standards in writing, including the applicable charges, available evidence related to the alleged misconduct, and the course-specific academic outcome. This referral will also be copied to the dean of the school housing the student's [primary] major and the dean of the school in which the behavior occurred.
- Once the referral has been received by the Office of Student Conduct & Community Standards, an administrative hearing will be scheduled Between the student and the associate director of student conduct & community standards (or designee). The administrative hearing will proceed in accordance with the "Administrative Hearing Procedure" under [section 7.1.2.4.1](#).

If, during the administrative hearing process, the associate director of student conduct & community standards (or designee) determines that the student has previously been found responsible for academic misconduct, and therefore the current charge(s) may result in suspension or expulsion from the college, the Dean of the School housing the student's [primary] major will be consulted regarding a college-wide sanction. **Note:** Any repeated incident of acknowledged or proven academic misconduct most likely will result in either suspension or expulsion from the College. A decision of suspension or expulsion may also be reached on the basis of one academic misconduct infraction.

If, during the administrative hearing process, the associate director of student conduct & community standards (or designee),determines that the student has previously been found responsible for academic misconduct, and therefore the current charge(s) may result in suspension or expulsion from the college, the Dean of the school housing the student's [primary] major will be consulted regarding a college-wide sanction.

Administrative Hearing Outcome

The administrative hearing will result in one of the following possible outcomes:

1. The hearing officer may find that the student is not responsible for a college-wide academic misconduct violation.
2. The student may accept responsibility for the violation or may be found responsible by the hearing officer based on a preponderance of the evidence, meaning that it is more likely than not a violation of the academic misconduct policy occurred. After a finding of responsibility, a sanction (see [section 7.1.2.8](#)) will be determined by the hearing officer.
3. The hearing officer may determine that additional information or further investigation is required to reach a decision. In the event that further information is necessary, the outcome of the hearing will be delayed pending this investigation. The hearing officer will follow up with the student to arrange any additional needed meeting(s) and/or to apprise the student of the investigations in progress. The process will conclude with a final decision from the administrative hearing process.

The student will receive a copy of the outcome letter from the associate director of student conduct & community standards (or designee) within five (5) college business days of the conclusion of the hearing. In addition, copies of these letters will be sent to the faculty member, the dean of the school housing the student's [primary] major, and the dean of the school in which the behavior occurred. Letters may also be forwarded to the student's parent(s)/guardian(s) at the discretion of the faculty member and/or associate director of student conduct & community standards. At the conclusion of the administrative hearing process, the student may choose to accept the decision/sanction or choose to have the case heard before a conduct review board.

Requests for a conduct review board hearing must be received by the associate director of student Conduct & Community Standards (or designee) within three(3) college business days of the written notification of the decision and/or sanction(s) from the administrative hearing.

Note: Any repeated finding of responsibility for academic misconduct will most likely result in either suspension or expulsion from the College. A decision of suspension or expulsion may also be reached on the basis of one academic misconduct infraction.

7.1.2.6.2 Conduct Review Board Process for Cases Regarding Academic Misconduct

Note: A student has the right to maintain full participation in class until such time as any incident of alleged academic misconduct is heard through the academic misconduct hearing process described herein.

- All cases referred to the academic conduct review board will be heard according to the following procedures.

ADVISORS

- If a student requests to have an advisor, they may choose an advisor from among the current faculty, staff, or students of the Ithaca College community to help the student prepare information to present at the hearing.
- Advisors may attend the hearing and consult with the student, but only to answer questions that the student might have during the course of the proceedings. The advisor may not in any other way speak at the hearing unless specifically requested to do so by the chairperson; and no recordings of any meeting, hearing, or proceeding will be permitted except the official recording by the College. Advisors who fail to conform their behavior to these standards may be removed from the proceedings.

SCHEDULING

- The conduct review board will be convened promptly upon receipt by the associate director of student conduct & community standards of the written request for a conduct review board hearing.
- All meetings and requirements will be scheduled without unreasonable delay. Unavoidable delays related to the absence of parties, advisors, or witnesses, or as a result of medical/emergency needs may result in temporary delay. However, college procedures will resume promptly. Requests for postponements will be determined on a case-by-case basis by the chairperson.

PRE-BOARD MEETING

- The chairperson will schedule a meeting with the student to provide the opportunity to ask questions about the procedures, rights, responsibilities, and other aspects of the hearing process. Students may request additional meetings with the chairperson prior to the hearing if new questions arise. Requests for an additional meeting must be made at least two (2) college business days prior to the scheduled hearing.

CHARGE LETTER

- The student will be notified in writing of the formal charges to be considered by the conduct review board. This notice will be submitted at least five (5) college business days prior to the hearing (unless the student agrees to an earlier hearing) and will include the following information:
 - the date, time, and location of the hearing;
 - the sections of the student conduct code being charged;

- the allegations that, if proven, would constitute a violation of the applicable policy;
- names of witnesses scheduled to participate in the hearing; including the faculty member who may participate.

COMPOSITION OF THE CONDUCT REVIEW BOARD

- The board will be composed of three (3) members selected from the pool of trained faculty, staff, and students subject to 7.1.2.7.1 of the Student Conduct Code. The chairperson will make every reasonable effort to ensure that one faculty and one student member are represented on the board. The associate director of student conduct & community standards (or designee) will serve as chairperson of the board but will not vote.
- The chairperson will provide the student and faculty with a list of names of the individuals who will sit on the conduct review board. Should the student or faculty believe that any voting board member is biased or could not render an impartial judgment, the student or faculty may challenge that individual's participation in the conduct review board hearing. The chairperson will rule on all such challenges, and the chairperson's decision will be final.
- The following individuals are the only people allowed in the hearing room: the student(s) charged; the student's advisor; the faculty member; witnesses, as called; the board members and chairperson; and an administrative assistant appointed by the associate director of student conduct & community standards (or designee). Judgments regarding any deviation from this standard will be made by the associate director of student conduct & community standards (or designee).

DOCUMENTS AND EVIDENCE PRIOR TO THE HEARING

- The faculty member shall provide the associate director of student conduct & community standards (or designee) with all evidence to be presented at the hearing, including, but not limited to, coursework, case correspondence, and names of witnesses, if any.
- At least 2 college business days prior to the date of the hearing, the associate director of student conduct & community standards (or designee) will provide the student with the information to be presented at the hearing, including the evidence provided by the faculty member, names or witnesses, if any, and any other applicable materials related to the hearing.
- At least 2 college business days prior to the date of the hearing, the student must submit copies of any written statements, additional evidence, and names of witnesses to be called who have relevant information specific to the case. At this time, the chairperson will make these materials available to the faculty in advance of the hearing. If a student fails to meet the deadline, the chairperson may deny the presentation of certain evidence and/or witness testimony.

STRUCTURE OF THE HEARING

- The order of the hearing is as follows:
 - Introductions and reading of the alleged charges by the Chairperson
 - Opening Statement(s)
 - Questioning of the student and faculty member by the conduct review board
 - Questioning of the student by the faculty and the faculty by the student
 - Questioning of each witness by the conduct review board and the student and/or faculty
 - Closing statement(s)
 - Deliberation by the conduct review board regarding responsibility
 - Deliberation by the conduct review board regarding sanction if the student has been found responsible.
 - The board will be informed of any prior conduct history prior to deliberation on sanction

The student and the faculty member will both be given the opportunity to provide an opening and closing statement to the board, as well as ask questions of the other party and witnesses. All parties have the right to choose not to answer any question(s).

EVIDENCE DURING THE HEARING

- The chairperson will rule on the relevancy and appropriateness of all questions asked and testimony provided at an academic conduct review board hearing.
- All decisions of the board will be by simple majority. Decisions will be based only on the evidence presented at the hearing and must be supported by a preponderance of the evidence.
- The board will deliberate on the hearing and will decide if, based on the available evidence, the student charged is responsible for the violation(s). If the student is found to be in violation of any or all of the charges, the chairperson will then inform the board of the student's prior conduct history. The board will take this information into consideration in determining the appropriate sanction(s).

7.1.2.6.3 Final Appeal Procedure for Academic Misconduct Hearings

As amended by the Ithaca College Board of Trustees October 21, 2016 and May 20, 2023.

The student may appeal decisions made by the academic conduct review board by doing so in writing to the provost/senior vice president for academic affairs (or designee) within three (3) College business days after the student has received written notification of the decision.

Upon receipt of a party's letter of appeal, any sanction imposed by the conduct review board will be temporarily rescinded pending the decision by the senior vice president for academic affairs (or designee).

The final appeal is the last step in the conduct review process. It is not intended to be a rehearing of the evidence presented at the original hearing. The student must demonstrate in writing to the provost/senior vice president for academic affairs (or designee) one or more of the following:

- 1.** The hearing was inconsistent with the established conduct procedures in a manner that materially affected the outcome;
- 2.** The sanction imposed was not appropriate for the violation of the student conduct code;
- 3.** New and relevant evidence is available that was not reasonably available at the time of the hearing and that could materially affected the outcome.

The provost/senior vice president for academic affairs (or designee) may render one of the following decisions:

- 1.** Uphold the decision;
- 2.** Amend the decision as may be necessary;
- 3.** Order the case to be heard again by a new academic conduct review board.

The evidentiary standard for appeal proceedings will be preponderance of the evidence. The decision of the provost/senior vice president for academic affairs (or designee) will be final. The student will be notified in writing of the decision within ten (10) College business days of the request for an appeal. Notification will include any new or amended sanction, if applicable.

7.1.2.7 Special Provisions [VII]

As amended by the Ithaca College Board of Trustees October 21, 2016.

Note: The director of residential life may appoint a designee, when or where appropriate, to perform the functions delegated to him/her in this section.

7.1.2.7.1 PROVISION FOR SPECIAL HEARINGS [VII.A]

If it is not reasonably possible to convene the conduct review board as constituted and if the associate director of student conduct & community standards (or designee) decides that prompt review is essential to appropriate resolution of the case, the associate director of student conduct & community standards (or designee) may convene and chair a three-person board made up of members of the conduct review board to hear the case and make a decision.

7.1.2.7.2 INTERIM REMOVAL FROM COLLEGE HOUSING OR ALL COLLEGE PROGRAMS AND ACTIVITIES

The Dean of Students (or designee) may remove a student from college housing or from all college activities on an interim basis to protect the health, safety, and welfare of the College or any member of the College community. A decision of interim removal will be based on the nature of the allegations and is not a final determination of responsibility.

Notice of removal will be issued in writing and responsibility for compliance with the terms of the removal will be effective immediately. The notice will include instructions for requesting temporary access to college facilities and instructions for requesting reconsideration of the interim removal decision.

INTERIM REMOVAL FROM COLLEGE HOUSING

- Persons under interim removal from the college housing system shall not be allowed in any Ithaca College residence hall or other College-owned, -leased, or -operated housing facility unless given permission by the director of residential life (or designee).

INTERIM REMOVAL FROM ALL COLLEGE PROGRAMS AND ACTIVITIES

- Persons under interim removal from the all college campus will not be allowed on Ithaca College property unless given permission by the Director of Public Safety (or designee). As a condition of interim removal, the student is restricted from attending classes, exams, activities, and other privileges; however, the Vice President for Student Affairs and Campus Life (or designee) has the discretion with the approval of the appropriate Dean and faculty members, to allow alternative exam and/or assignment options without the student being on campus to minimize the negative impact on the respondent.

REVIEW PROCEDURE FOR OF AN INTERIM REMOVAL DECISION

- The removed student (and when related to a complaint subject to Title IX, both parties to the complaint) may submit a request for reconsideration of any interim removal decision to the associate director of student conduct & community standards at any time. Requests will be reviewed promptly by the vice president of student affairs and campus life (or designee). The decision to rescind or modify the interim removal will be made by a preponderance of evidence and may be based on either of the following grounds:
 - The removed student is not likely to be found responsible for the allegations brought forward to the college;
 - The removed student's alleged conduct does not pose a threat to the health, safety, and welfare of the College or any member of the College community.
- The review may result in one of the following decisions:
 - Uphold the decision
 - Amend the decision as may be necessary.
- The removed student (and when related to a complaint subject to Title IX, both parties to the complaint simultaneously) will be notified of the outcome in writing, by the Vice President of Student Affairs and Campus Life. The Vice President is the final level of review for an interim removal.

The parties may submit additional requests for modification of the terms of the interim removal at any time. However, such requests will only be eligible for review when based on new information.

7.1.2.7.3 AND 7.1.2.7.4

[Intentionally left blank.]

7.1.2.7.5 - SHORT-TERM RESIDENTIAL PROGRAMS

Short-term residential programs at Ithaca College may maintain additional housing rules and regulations, statement(s) of responsibilities, and standards for appropriate behavior, including conduct proceedings to promptly address violation(s) of College policies, rules, and regulations in accordance with program needs. Therefore, conduct proceedings in short-term residential programs may differ from the procedures outlined in sections 7.1.2.4 and 7.1.2.6 above. A student's prior conduct history at Ithaca College will be taken into consideration in determining an appropriate sanction for any violations of policies or regulations resolved in accordance with the respective program's procedures. Similarly, any conduct sanctions imposed while a student is participating in such program will also become a part of a student's overall Ithaca College conduct record.

7.1.2.7.6 ICNYC AND LOS ANGELES COMMUNICATIONS PROGRAM [VII.D]

Students associated with the Ithaca College New York City (ICNYC) Program or the Ithaca College Communications Program in Los Angeles will receive information specific to the program in which they are participating that outlines the housing rules and regulations, statement of responsibilities, standards for appropriate behavior, and procedures to be used for dealing with violation(s) of these policies, rules, and regulations. A student's prior student conduct history from the Ithaca College campus will be taken into consideration in determining an appropriate sanction for any violations of policies or regulations while in the respective program. Similarly, any student conduct sanctions imposed while a student is participating in the ICNYC Program or the Ithaca College Communications Program in Los Angeles will also become a part of a student's Ithaca College student conduct record.

7.1.2.7.7 LONDON PROGRAM AND OTHER ITHACA COLLEGE-SPONSORED STUDY ABROAD PROGRAMS [VII.E]

As amended by the Ithaca College Board of Trustees February 19, 1998.

Participation in the London program or other Ithaca College-sponsored study abroad programs is a privilege. Students associated with the London program or other Ithaca College-sponsored study abroad programs will receive information specific to the program in which they are participating that outlines the responsibilities, standards, and expectations for appropriate behavior, and procedures to be used for dealing with violations of these policies, rules, regulations, and expectations. Students participating in the London program or other Ithaca College-sponsored study abroad programs are responsible for adhering to the Ithaca College Student Conduct Code as well as all statements of responsibilities, standards, and expectations from the Office of International Programs. The Ithaca

College Student Conduct Code as well as all statements and expectations from the Office of International Programs shall apply to all conduct while on any and all lands or facilities owned, leased, or operated by Ithaca College as well as to all conduct while at any location where a student is engaged in a College activity. Examples include, but are not limited to, travel on academic field trips, other College-sponsored or -coordinated travel, and participation in College-sponsored activities or events off campus. Failure to abide by the Ithaca College Student Conduct Code and/or all statements of responsibilities, standards, and expectations from the Office of International Programs may result in the loss of privilege to participate in the program and/or judicial action. A student's prior student conduct history from the Ithaca College campus will be taken into consideration in determining an appropriate sanction for any violations(s) of the Ithaca College Student Conduct Code as well as all statements of responsibilities, standards, and expectations from the Office of International Programs. Similarly, any student conduct sanctions imposed due to conduct while a student is participating in the London program or other Ithaca College-sponsored study abroad programs will also become a part of a student's Ithaca College student conduct record.

7.1.2.7.8 REOPENING OF A STUDENT CONDUCT CASE

As approved by the Ithaca College Board of Trustees October 21, 2016.

The college reserves the right to reopen any student conduct case based upon the introduction of evidence not available at the time of the hearing.

7.1.2.8 Sanctions [VIII]

As amended August 14, 2020.

In the case of a violation(s) of the student conduct code and/or residential life rules and regulations, one or more of the following sanctions may be imposed.

Sanctions are determined on a case-by-case basis. The purpose of administering sanctions is to hold students accountable for their actions, ensure the safety and well-being of the Ithaca College community, and to facilitate learning. In determining the appropriate sanction(s), the hearing officer or board will consider the severity of the offense; conduct proceeding precedents for similar offenses; the student's conduct history, if any, for previous violations of the student conduct code and/or residential life rules and regulations; and any other mitigating factors.

While no specific sanction is necessarily required for any associated violation, the minimum sanction typically applicable for a student found responsible for a charge of sexual assault is a suspension. The Office of Student Conduct & Community Standards also publishes a guide for the [Alcohol and Other Drug Policy and Judicial Protocol](#), which includes sanctioning criteria for alcohol-related and other drug-related offenses.

7.1.2.8.1 GOOD JUDICIAL STANDING

Any student presently not under academic code or disciplinary probation, termination from housing, deferred suspension, or suspension or expulsion from the College is considered in good judicial standing.

Sanctions are defined as follows:

7.1.2.8.2 WRITTEN WARNING

Written notice to the student indicating that continuation or repetition of misconduct may result in further disciplinary action.

7.1.2.8.3 RESTITUTION**

Reimbursement to the College or another party for the value of any damaged, destroyed, or misappropriated property.

7.1.2.8.4 SPECIAL PROJECTS OR PROGRAMS**

Required participation in, and/or development of, projects and/or programs; verbal or written apology; or the completion of a research paper on a relevant topic that specifically addresses a student's behavior. Failure to complete the project or program satisfactorily and by the assigned completion deadline may result in further disciplinary action.

7.1.2.8.5 COMMUNITY SERVICE**

Required service to the College or community. This sanction may be imposed when, in the view of the hearing officer or board, the student's actions have infringed on the community in some manner, necessitating the student providing positive service back to the community. The amount of service and deadline for its completion will be described in the student conduct hearing and written notice to the student. The nature of the service will be determined in a meeting between the student and the

staff member serving as the community service coordinator. Failure to complete the service assignment satisfactorily and by the assigned deadline may result in further disciplinary action.

7.1.2.8.6 LOSS OF PRIVILEGES**

Exclusion from specifically stated facilities, services, or activities for a designated period of time. Examples include, but are not limited to, loss of driving or parking privileges, prohibition from entering certain or all residence halls or College-owned or -leased apartments, prohibition from attendance at or participation in College-sponsored activities, room change restrictions, and prohibition from sponsoring events. In addition, a student conduct hold may be placed on a student's record if the student fails to complete a requirement of a student conduct sanction by the prescribed deadline. The student conduct hold will prevent the student from registering for classes or adding/dropping classes until the student conduct sanction requirement is completed and the hold is cleared.

7.1.2.8.7 DISCIPLINARY PROBATION**

A formal written notice to the student indicating the student is expected to refrain from any further violations of the College rules and regulations. A period of probation (not less than one full semester) will be noted. Subsequent violations may result in stronger student conduct sanctions and loss of privileges, including possible suspension or expulsion from the College.

7.1.2.8.8 RESIDENCE HALL REASSIGNMENT**

In the event that in the student conduct hearing officer's or board's assessment the student and/or the residential community would be better served by the student's living in a different location, the student may be reassigned to another campus residence hall or College-owned, -leased, or -operated apartment. If the period of reassignment is for other than the duration of the current academic year, it will be specified in the notice of reassignment.

7.1.2.8.9 TERMINATION OF RESIDENCE HALL CONTRACT**

The residence hall contract, which provides the student with residence hall or College-owned or -leased apartment living privileges, is revoked. Renewal is at the discretion of the director of residential life (or designee).

7.1.2.8.10 ACADEMIC CODE PROBATION**

A formal written notice to the student indicating that the student is expected to refrain from any further acts of academic misconduct. Subsequent violations may result in suspension or expulsion from the College.

7.1.2.8.11 DEFERRED SUSPENSION**

A formal written notice of final warning to the student indicating that the student must refrain from any further violations of the College rules and regulations. Any subsequent violation is likely to result in suspension or expulsion from the College.

7.1.2.8.12 SUSPENSION**

Removal from the College community for a definite period of time (not to exceed six semesters). The student must apply for readmission to the College when the period of suspension ends. The terms of readmission, if any, will be set forth in the notice of suspension.

This sanction may include a notation on the student's permanent transcript pursuant to section 7.1.2.8.14 below for a "crime of violence" as defined in the Federal Clery Act, established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII). Upon the conclusion of the period of suspension provided in the notice of suspension, a student may submit a request for the removal of the transcript notation for a suspension. If such student has complied with the terms for readmission set forth in the notice of suspension, such a request will be granted, provided that by law, such notation shall not be removed prior to one year after conclusion of the suspension.

7.1.2.8.13 EXPULSION**

Permanent termination of the student's status at the College.

This sanction may include a notation on the student's permanent transcript pursuant to section 7.1.2.8.14 below for a "crime of violence" as defined in the Federal Clery Act, established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII).

7.1.2.8.14 NOTATION ON TRANSCRIPT**

For crimes of violence, including, but not limited to sexual violence, defined as crimes that meet the reporting requirements pursuant to the Federal Clery Act established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII), the College is required by law to make a notation on the transcript of students found responsible after a conduct hearing process that the student was "Suspended after a finding of

responsibility for a code of conduct violation" or "Expelled after a finding of responsibility for a code of conduct violation", whichever is applicable.

If a student withdraws while facing an alleged violation that may result in removal from on-campus housing, suspension or expulsion, the College may make a notation on the transcript that the student “withdrew with conduct charges pending.” If the allegations involve a crime of violence, defined as crimes that meet the reporting requirements pursuant to the Federal Clery Act established in 20 U.S.C. 1092(f)(1)(F)(i)(I)-(VIII), the College is required by law to make a notation on the transcript that the student “withdrew with conduct charges pending.”

Upon the conclusion of the period of suspension provided in the notice of suspension, a student may submit a request for the removal of the transcript notation for a suspension. If such student has complied with the terms set forth in the notice of suspension, such a request will be granted, provided that by law, such notation shall not be removed prior to one year after conclusion of the suspension period. Notations made for an expulsion or a withdrawal shall not be removed. If a finding of responsibility is vacated for any reason, however, then any such transcript notation shall be removed. The associate director for student conduct & community standards will provide a separate written notification to be maintained by the registrar in the student's permanent record, which shall remain separate and apart from the student's transcript, for any notation or removal of a notation made pursuant to this section.

7.1.2.9 Student Conduct History, Crimes of Violence, and Parental Notification [IX]

7.1.2.9.1 STUDENT CONDUCT HISTORY [IX.A]

Any time a student is found responsible for any violation(s) of College rules and regulations and, as a result, is sanctioned through a student conduct hearing process, that sanction becomes a part of the student's student conduct history. A student's student conduct history is a confidential record of student conduct action related to the student that is maintained in the Office of Student Conduct & Community Affairs. (See [section 7.1.2.2.9](#), "Freedom from Improper Disclosure.") A student's student conduct history is maintained throughout the student's tenure at Ithaca College until graduation from the College or after three years following a withdrawal from the College. Records of student conduct suspension or expulsion from Ithaca College are permanently maintained by the Office of Student Conduct & Community Affairs.

Note: For cases involving Title IX violations, or pertaining to violations involving sexual misconduct, domestic/dating violence, or stalking, records will be maintained for a period of seven years.

When a student is charged with any violations of College rules and regulations, the student's student conduct history is subject to full review by the administrative hearing officer adjudicating the case. In addition, a conduct review board adjudicating a case will review a student's student conduct history on any and all occasions that the student is found responsible for any violations of College rules and regulations. The reason for such review is that a student's student conduct history is an important factor in determining an appropriate student conduct sanction in the current case. Such review will occur regardless of whether the sanction(s) for prior offense(s) are active or closed.

7.1.2.9.2 CRIMES OF VIOLENCE [IX.B]

A crime of violence is defined as:

1. An offense that has an element of the use, attempted use, or threatened use of physical force against a person or property of another, or
2. Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

According to the Family Educational Rights and Privacy Act, an institution may release to an alleged victim of a crime of violence the results of any disciplinary hearing conducted against the alleged perpetrator of the crime. The alleged victim only has access to the results of the hearing. Information regarding the witnesses, other victims and evidence will be redacted. Victims are entitled to information only on the name of the alleged perpetrator, the violation committed, and the sanction imposed if any.

Ithaca College has chosen to share such information with alleged victims of a crime of violence. It should be clearly understood that the information shared under these circumstances is otherwise confidential and cannot be shared by the alleged victim with any other party.

7.1.2.9.3 PARENTAL NOTIFICATION [IX.C]

As amended by the Ithaca College Board of Trustees May 16, 2015.

In the event that a student is found responsible for any student conduct violations, a copy of the letter of notification may also be sent by the associate director of student conduct & community standards (or designee) to the student's parents. The determination of parental notification will be based on the severity of the violation(s), the student's student conduct history (if any), and/or any

other relevant circumstances. Generally, parental notification occurs in instances that include, but are not limited to, student conduct sanction(s) where a student's housing status or student status is in jeopardy or has been revoked. There will be an attempt to verbally inform the student of the parental notification, prior to the parents' receipt of this letter. Under federal law, parents of dependent students are entitled to obtain a student's conduct record upon request.

1. *The NCHERM Group Model Code Project, 2013.*

* Sections marked with a single asterisk ("*") also comprise Ithaca College's "Rules for the Maintenance of Public Order" in compliance with section 6450 of the Education Law of the State of New York. Cases involving violation of the public order rules by nonstudents will be resolved according to the procedures found in [Volume II, section 2.31](#).

** A double asterisk ("**") denotes sanctions where a copy of the notification may be sent to the student's parents or guardians.

Last Updated: May 22, 2023

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